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# THE AUSTRALASIAN Catholic Record

FOR CLERGY  
AND RELIGIOUS



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# The Australasian Catholic Record

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*"Pro Ecclesia Dei." St. Augustine.*

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RICHARDUS COLLENDER

CENSOR DEPUTATUS.

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ARCHIEP. SYDNEYENSIS.

1a die Julii, 1957.

# Official Documents

## ENCYCLICAL ON THE CONDITIONS OF CATHOLIC MISSIONS, ESPECIALLY IN AFRICA.

[Easter Sunday, April 21, 1957—*A.A.S.* 40, No. 5, pp. 225-248]

This is a momentous Encyclical. The body of it consists of three sections, setting forth respectively the very serious conditions of Catholic Missions in Africa, the crying need of strong missionary action by the Hierarchy and all members of the Mystical Body of Christ, the practical ways of helping the great cause. As the document is too large to publish in full, and as a summarization of it would certainly do injustice to a great Pontifical Act, we here give a full translation of the third or practical part of the Encyclical:

The Church from its very infancy had the commission of propagating the word of God. This office was inherent in her very constitution. Hence, in the accomplishment of a mission, in which she can never be wanting, she has not ceased at any time to ask from her children assistance, which is of three kinds. She asks their prayers, she asks material help, and from some she asks even the gift of themselves. At the present moment, as much as ever, the Missions and especially the African Missions require these three kinds of assistance from the Catholic world.

Our first wish, then, Venerable Brethren, is that more abundant and more fervent prayers for this intention be offered to God. You must do your best to have powerful and continual prayers going up from your priests and your faithful people on behalf of this most holy cause. Opportune instruction given to the faithful on the life of the Church and the fortunes of the Missions will provide food for this crusade of prayer. There are also certain times of the liturgical year in which prayers on behalf of the Missions should be furthered with particular seasonableness and earnestness. Such are the Sacred Season of Advent which looks with expectation to the coming of the Saviour of the human race; the feast of the Epiphany, also, which manifests the new salvation offered to all mankind; Pentecost, likewise, for then the Church stands forth as constituted and activated by the blast of the Holy Spirit.

The most excellent of all prayers is that which is daily offered at our altars by Christ Jesus the Supreme Priest. He prays to God His Father, while the Holy Sacrifice of Redemption is being renewed.



Hence, it is most important, especially in this age, when the future increase of the Church in so many places is perhaps pending, that as many Masses as possible be offered to God for the Sacred Missions. It is obvious that this is according to the wishes of our Lord, Who loves His Church and desires it to flourish and spread throughout the whole world. Although the private prayers of the faithful are quite in order, it is nevertheless most opportune to remind all of the primary and necessary intention for which the sacrifice of the altar is celebrated. This intention is declared thus in the Canon of the Latin Mass: "In the first place we offer [this sacrifice] for Thy holy Catholic Church, that it may please Thee to grant her peace, to protect her throughout the world." These high aims of the Church the faithful will understand more fully if they consider the doctrinal directives of the Encyclical *Mediator Dei*. There We taught that each Eucharistic Sacrifice must be regarded as an action carried out in the name of the Church, because "the minister of the altar bears the person of Christ the Head, Who is offering in the name of all the members." Since that is so, the whole Church through Christ is offering the holy oblation to the eternal Father "for the salvation of the whole world." Hence the wonderful advantage of having the prayers of the faithful in the same sacrifice ascending more and more fervently to God in union with the Supreme Pontiff, the Bishops and the whole Church. This is the chief way of imploring a new abundance of grace from the Holy Spirit which will make "the whole world throughout the round of the earth exult with a profusion of joys."

More and more, therefore, Venerable Brethren, let prayers to God be multiplied and intensified. Never cease to direct your cares and your thoughts to so many peoples surrounded by innumerable spiritual straits, either because they are wandering far from the way of truth, or because they are labouring under tremendous need of help in order to persevere. Joined to Christ in the presence of the Heavenly Father stand together in supplication, and through you, again and again, let that prayer ascend to Him which was the very life-breath of apostolic men at all times and was first of all in the mouths of the Apostles themselves: "Hallowed be Thy name; Thy will be done on earth as it is in heaven." Then, indeed, we are solely drawn by the honour of God and by the desire of increasing His glory, when we long most ardently for the coming of His kingdom—a kingdom of justice, love and peace, which we wish to see restored at last throughout the whole world. This desire of the glory of God, if it be joined to burning

charity towards our neighbour must certainly be regarded as apostolic alacrity in the true sense of the word—alacrity to promote the Missions of the Church. Thus, most certainly, help is brought to the apostolic labourers who are foremost in the ranks of preachers of the word.

Besides, it is impossible that sincere and earnest prayers to God for the Missions should not be accompanied, according to each one's means, with the contributions of charity. In this matter, as We, most of all, are well aware, the profuse generosity of Our children is continually testified by most beautiful examples. It is to these generous souls that the wonderful growth of missionary work is due during the years that have passed since the beginning of this century. Consequently Our gratitude here goes out to those dear children who give assistance sustained by charity, in generous measure, to the many enterprises of the Catholic Missions. We desire also to give a special tribute of praise to all those belonging to the Pontifical Missionary Works, who have undertaken the task, not seldom unthankful, of soliciting alms in the name of the Church. They have willingly become beggars for the younger communities in the Mission fields, in which the Church sets its glory and its hope. To these beloved children We offer cordial congratulations and We also offer heartfelt thanks to all those who in the Sacred Congregation de Propaganda Fide labour so enthusiastically. To them especially, with Our beloved son, the Cardinal Prefect, at their head, this immense work has been entrusted, namely, the work of promoting missionary endeavour throughout vast continents.

Nevertheless, We are compelled by the consciousness of Our apostolic office to tell you, Venerable Brethren, that your help, which We have so gratefully received, is still insufficient to meet the innumerable needs of the Church's missionary work. Day by day urgent appeals come from Missionaries who are torn with anxiety for the furtherance of the Church, for the removal of hindrances, for buildings which are a crying need or for the establishment of various missionary works. It saddens Us, as We receive these very reasonable appeals, not to be able to respond in due measure, but only in part and inadequately. As an example, the Papal Work of St. Peter the Apostle may be cited. Undoubtedly, huge sums are sent by this Institute to the missionary fields; but the candidates for priesthood, by God's favour, are yearly increasing in those regions, and call for more abundant assistance. Are we to allow young men who seem by God's providence to be called at this moment to the sacerdotal state to be thinned in



numbers, because of the want of means? Are we to exclude from Seminaries, because of lack of money, so many young men, who ardently desire the priesthood and show excellent signs? This has happened in some places. Surely Catholics, who weigh their obligations conscientiously, will not refuse to supply, even under hardship, the special assistance needed by those cases.

Certainly, We are aware of the burdens of the times, of the difficulties with which the older dioceses of Europe and America are beset; but, if we calculate in numbers, we shall soon see that the poverty of some dioceses may be considered riches when compared to the sad conditions prevailing in other places. However, comparative statistics are of lesser importance, and rather than making up accounts, it is better to repeat an exhortation which We gave on another occasion: "Those who willingly soldier under the banner of Christian abstinence and Christian devotedness will be ready to go further than moral laws prescribe, according to each one's powers, according to the stimulation of the grace of God, according as one's calling allows... (and We added)... What one takes from vanity, let him hand over to charity, and as a man of mercy let him succour the needs of the Church and the poor." How many splendid works a Missionary, straitened by need and retarded in the exercise of his apostolate, could do with the money which this or that christian spends sometimes on fleeting pleasures. In this matter, it behoves each christian, each family, each community to make a diligent examination of conscience. Keeping in mind, therefore, "the grace of our Lord Jesus Christ, that, being rich, he became poor for your sakes, that through his poverty you might be rich," give away some of those things that are superfluous, and sometimes even some of those things that are necessary. And remember, that in your generosity lies the increase by which the boundaries of religion are enlarged. Indeed, the world will be new, if charity triumphs.

Since the Church in Africa, as in other fields of missionary labour, needs heralds of the Gospel, We appeal to you, Venerable Brethren, and beg you to be willing helpers, as far as you can, of those divinely called, whether they be priests or religious, in their will to work in the Missions.

It is your first task, as We said above, to strengthen the minds of your faithful people and inspire them with the spirit of sharing the cares of the whole Church, inspiring them likewise with docile regard for the voice of the Lord when, as He did of old, He gives order throughout the centuries: "Go forth from thy country and from thy kindred, and



from the house of thy father, and come into a country which I will show thee." Indeed, if this truly Catholic mentality was inculcated in domestic circles, in schools, in parishes, in Catholic Action groups and in other pious societies, there is no doubt that men thus imbued with Catholicism would send ministers to the help of the Church, such ministers as she needs for disseminating the word of God. And it should also be observed that this ardour of missionary zeal, once aroused in your dioceses, will be a pledge of new upsurge of religion and piety. It is impossible that a community of Christians that gives sons and daughters to the Church should perish. If therefore supernatural life is life of charity, and grows on devotedness, it is rightly asserted that the Catholic life of any nation is to be estimated by the burdens which it freely undertakes and maintains on behalf of missionary work.

It is not sufficient, however, that the wills of men should be well inclined towards the Missions. More than that is looked for. There are many dioceses which, by God's favour, have such numbers of sacred ministers, that they will suffer no harm, if they lose some of their priests. To them, especially, We apply with paternal solicitude, that sentence: "*Quod superest date pauperibus*" (Luke 11:41). But Our thoughts also go to those Our brethren in the Episcopate, who are anxious about the fearful decline of sacerdotal and religious vocations and cannot meet the spiritual needs of the sheep entrusted to their care. We share their anxieties and say to them as St. Paul said to the Corinthians: "The relief given to others should not be a hardship to you, but there should be equality." Nevertheless, let dioceses that labour under such need not exclude a suppliant voice seeking help for the sacred Missions scattered far away. The widow's mite is set before us by our Lord as an example to imitate; if a poor diocese helps another poor diocese, it cannot happen at all that it becomes poorer thereby, since God does not allow Himself to be surpassed in generosity.

For a thoroughly effective solution of the many questions pertaining to the seeking and choosing of preachers of the Gospel, the efforts of single individuals are not enough. Discuss those questions in your meetings, Venerable Brethren, and for their solution use those institutions, if such exist, which in each nation work for the promotion of the Missions. In this way it will be easier for various persons to add various instruments in view of stimulating the wills of young men divinely inclined to go to the Missions, and your allotted tasks will be lighter, since they bind you in solidum to the advancement of the good of the Church. In your dioceses give every encouragement to the

Missionary Society of the Clergy, which has been recommended so often by Our Predecessors and by Ourselves. We raised it to the dignity of a Papal Work, so that no one may be in doubt with regard to the esteem in which We hold it, nor with regard to the fruits which We expect from its growth and increase. Let there be a close union of effort between the Pastors of the Church and those who are entrusted with the furtherance of Missionary interests. Concord is the chief condition of good progress. In this place We are pleased to remember the Presidents of the Papal Missionary Works of the various nations. You will assist their efforts, giving the diocesan Councils the support of your zeal and authority. We remember also the Moderators of those Institutes, so well-deserving, which the Holy See does not cease to call into the work of providing for the needs of the Missions, and who cannot increase the number of the Missionaries, unless the local Ordinaries support their endeavours with benevolent favour. See that by mutual consent real advantages, which ought to be diligently weighed, be duly reconciled. If these advantages seem at the moment to verge towards different issues, should not everything be considered again with the strong alacrity of faith, the supernatural cause of the Church's unity and Catholicity being kept well in view.

With the same good will, which in an atmosphere of fraternal agreement associates with others and is free from self-interest, do your best to have spiritual care imparted to those young men of Africa and Asia, who in pursuit of studies live for some time in your dioceses. These, separated from the social relationships of their home country often, through many causes, do not, while living amongst the peoples who receive them, frequent the society of Catholics as much as they should. Thereby their christian life may suffer harm at a time when the true virtues of a new civilization are unknown to them (such namely as they are seeking), while the pleasing aspects of materialism draw them, and atheistic groups strive to gain their confidence. This matter, as you can well see, both in view of the present and the future, is of great importance. Consequently you should, moved by the solicitude of Missionary Bishops, appoint some competent and pious priests to follow up this form of apostolate.

Another way of helping, and, indeed, a more onerous way, is that introduced by some Bishops. These Bishops, although they keenly feel the inconveniences of such generosity, allow this or that priest to leave the diocese and give his services for a certain space of time to the local Ordinaries of Africa. This is conducive to many improvements in the



missionary situation. Thereby, in a wise and well-considered way, new and special forms of sacerdotal ministry are established and likewise the teaching capacities of the diocesan clergy are supplemented in matters where there is a lack. For the furtherance of these opportune and fruitful enterprises We willingly offer Our word of exhortation. If these things are prudently prepared and promptly realized, advantages of supreme importance will accrue to the Catholic Church in Africa at this very time which is full of difficulties and also full of hope.

Lastly, there is another help which is being given to-day to Missionary dioceses. It follows a new way and method, which greatly pleases Us, and is worthy of being set before you, before We conclude this Letter. This help is the active task, which lay persons soldiering under the banners of the Church and mostly working in Catholic Institutes, national or international, accept on behalf of newly born Christian communities. This supply of help demands indeed proper respect for the interests of others, moderation also and prudence: but it is greatly advantageous to those dioceses weighed down by the urgency of new apostolic tasks. These lay persons working under the standard of Christ and thoroughly obedient to the Bishop, who is the centre of apostolate, act in entire agreement with the Catholics of Africa and usefully contribute to the recently constituted dioceses the experience they have gained either as regards Catholic Action and social action or other kinds of special apostolate. Besides—and this is not of lesser utility—these accelerate and facilitate the union of individual Catholic Institutes of their nation with those innumerable Institutes of the same kind, which are international. We are pleased indeed to congratulate all these workers on the splendid service they give to the Church and for the advantages they bring to the Missions.

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EXTERNAL SOLEMNITY OF O.L. OF PERPETUAL  
SUCCOUR IN DIOCESE OF MAITLAND.  
SACRA CONGREGATIO RITUUM.  
Prot. Num. 49/957.

MAITLANDEN.

Instante Exc. mo ac Rev. mo Domino Ioanne Toohey, Episcopo Maitlanden. in Australia, Sacra Rituum Congregatio, vigore facultatum sibi a Ss. mo Domino nostro Pio Papa XII tributarum, benigne indulget ut in posterum Solemnitas externa B. M. Virginis de Perpetuo

Succursu, Patronae praefatae dioecesis, peragi valeat Dominicā, quae diem 27 Junii proxime sequitur, in universa eadem dioecesi, cum altera Missa propria cantata et altera lecta, dummodo non occurat festum duplex primae classis; si vero occurrat festum duplex secundae classis, permittitur unica tantum Missa in cantu: servatis de cetero Rubricis. Praesenti indulto ad proximum decennium valituro. Contrariis non obstantibus quibuscumque.

Romae, Die 25 Maii, 1957.

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From the Apostolic Delegation  
PRO MEMORIA

Extract of a letter sent to the Secretariate of State of His Holiness:

"Prof. Edmond Szekeley wrote a book called *The Gospel of Peace of Jesus Christ by the Disciple John*. The book was first published in 1937 by the Daniel Company, Ltd., Ashingdon, Rochford, Essex, England.

In the Foreword we read:

'The content of this book is only a fragment—about an eighth—of the complete manuscripts which exist in *Aramaic* in the *Library of the Vatican* and in old Slavonic in the Royal Library of the Habsburgs (now the property of the Austrian Government).

'We owe the existence of these two versions to the Nestorian priests who, under the pressure of the advancing hordes of Gengis Khan, were forced to flee from the East towards the West, bearing all their ancient scriptures and ikons with them.

'The ancient Aramaic texts date from the first century after Christ, while the old Slavonic version is a literal translation of the former. Exactly how the texts travelled from Palestine into the interior of Asia and into the hands of the Nestorian priests, archaeology is not yet able to reconstruct for us.

'We should be very much obliged if you could inform us whether there are such Aramaic Manuscripts in the Library of the Vatican and whether they have been published in any other language'."

The following reply was given by the competent authorities of the Vatican Library to the question proposed above:

"The book of Edmond Szekeley, *The Gospel of Peace of Jesus Christ by the Disciple John*, published in England in 1937, written



above all to support a pseudo-doctrine based on principles favouring vegetarian diet, quotes the authority of a non-existent manuscript in aramaic of the Vatican Library, in support of his medico-philosophical theories, to the astonishment of people of good faith and of limited preparation.

“Permit me to suggest how desirable it would be that the competent Ecclesiastical authorities be notified of this falsehood which continues to be circulated, it would seem with certain success, in Oceania.”

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PAPAL LETTER TO THE BISHOP OF SALE,

MOST REV. RICHARD RYAN,

*on the occasion of the golden jubilee of his priesthood.*

(The A.C.R. keenly regrets that the lamented death of His Lordship occurred a short time after this happy event. R.I.P.)

Venerabili Fratri

RICHARDO RYAN

Episcopo Saliensi

Nostro Solio Adstanti

PIUS PP. XII

Venerabilis Frater,

salutem et Apostolicam Benedictionem.

Tibi feliciter peragenti, aliquot abhinc annos, quinque ab inito episcopatu lustra existimationem ac benevolentiam Nostram per litteras publice declaravimus, egregia tua erga Ecclesiam merita suavi memoria recolentes, simulque te inter sacrorum Antistites Nostro Solio Adstantes annumerare decrevimus. Nunc autem tibi quinquagesimum a suscepto sacerdotio annum feliciter celebranti, novam nacti opportunitatem, jucundi eventus faustitatem secundis votis ominibusque Nostris libenter prosequimur. Quapropter tibi, Venerabilis Frater, de sacro et pastoralis ministerio diu sollerterque gesto ex animo gratulamur, uberrima dona ac superna solacia a Domino adprecantes. Praeterea tibi ultro facultatem largimur, ut, qua volueris die, Sacro pontificali ritu peracto, adstantibus fidelibus nomine Nostro Nostraque auctoritate benedicas, plenariam indulgentiam iisdem proponens, ad Ecclesiae praescripta lucranda. Caelestis interea praesidii nuntia peculiarisque Nostri amoris testis sit Apostolica Benedictio, quam tibi, Venerabilis Frater, itemque Episcopo Coadjutori cunctoque clero ac populo Saliensi peramanter in Domino impertimus.

Datum Romae apud Sanctum Petrum, die XXV mensis Maji, anno MDCCCCLVII, Pontificatus Nostri undevicesimo.

PIUS PP. XII.

To Our Venerable Brother, RICHARD RYAN,  
Bishop of Sale, Assistant at Our Throne, from POPE PIUS XII.

Venerable Brother, greetings and the Apostolic Blessing.

A few years ago, when you happily completed the twenty-fifth year of your episcopate, We publicly expressed to you Our esteem and goodwill in a letter, in which We recalled with pleasant memories your distinguished service to the Church, and in which We appointed you one of the Assistant Bishops at Our Throne.

Having been provided with a further opportunity, now that you are happily celebrating the fiftieth anniversary of your ordination to the priesthood, We gladly accompany with Our felicitation and kind wishes the joyful observance of the pleasant event.

Wherefore, Venerable Brother, We congratulate you from Our heart on having carried on the sacred and pastoral ministry for so long and with such success: and We beg for you from the Lord the richest gifts and heavenly consolations.

Moreover, We willingly give you the faculty by which, on a day of your choice, you may, at the end of Pontifical Mass, in Our name and with Our authority, bless the faithful who are present and give them a plenary indulgence to be gained according to the rules of the Church.

Meanwhile, may the Apostolic Blessing, which very lovingly We give you, Venerable Brother, and likewise the Coadjutor Bishop, and all the priests and people of Sale be an augury of heavenly help and a proof of Our special affection.

Given at Rome at Saint Peter's, on the 25th day of May, in the year 1957, the nineteenth of Our Pontificate.

(Signed) PIUS PP. XII.

W. LEONARD.



# Juridical Relationships Between Parish Priests and Clerical Religious, 111

## THE PARISH PRIEST AND THE FOUNDATION OF A HOUSE OF CLERICAL RELIGIOUS (Continued).

### Summary:

Art. 3. The Power of the Ordinary to grant a Conditional Permission for the Erection of a House of Clerical Religious (continued).

Art. 4. The Nature of the Parish Priest's Objection to the Erection of a House of Clerical Religious.

Art. III—THE POWER OF THE ORDINARY TO GRANT A CONDITIONAL PERMISSION FOR THE ERECTION OF A HOUSE OF CLERICAL RELIGIOUS (continued).

Writing in 1924 Jombart, however, maintained that the local Ordinary can grant permission for the erection or opening of a house of clerical religious on the condition that a church or public oratory is not to be opened.<sup>135</sup> This he maintained, quoting Vermeersch, was the teaching and procedure before the Code, based on the axiom, *Qui potest plus potest minus*.<sup>136</sup> Canon 497, par. 2, must, he continues, be interpreted and understood in the light of previous doctrine and interpretation. The doctrine prior to the Code was that once permission had been obtained for the erection of a monastery or convent it was lawful for Regulars to build a church attached to the monastery unless for a just cause the Bishop in granting the original permission had refused this right.<sup>137</sup> In interpreting the words of Canon 497, par. 2, he states that the word *secumfert* must be understood with the condition, "unless the local Ordinary has for a just cause refused this right." The reason for this interpretation, *Qui potest plus potest minus*, remains valid now as before the Code. Even now after the promulgation of the Code Jombart maintains that the Ordinary may have a just reason for either refusing permission for the erection of a new house or granting permission for the erection of a new house without a public church or oratory. He gives an example. Ordinarily, he writes, a Bishop will not have a just cause for refusing permission for the erection of a new novitiate house with its domestic chapel, while at the same time there may be valid reasons for not permitting the erection of a public oratory, e.g., danger of dissensions between clergy and people, desire not to antagonize a hostile government. He concludes with this argument.

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<sup>135</sup>*Periodica* XII, 1924, pp. 60, 61.

<sup>136</sup>*De Religiosis*, 1, 107, 2.

<sup>137</sup>*Ibid.* 511, 1.

If the Ordinary could not impose such a condition, the liberty of both the Ordinary and the religious would suffer. Firstly, the liberty of the Ordinary would be restricted in this matter and this is contrary to the whole trend of the Code which extends and does not restrict the liberty of the Ordinary. Secondly, the liberty of the religious is restricted by such an interpretation, because in such circumstances permission for the new foundation would simply be refused. Obviously, concludes the writer, the legislator does not desire these effects.

This opinion, however, cannot be defended. It is clear that the author is presupposing a condition which is not found in the Canon. In view of the words granting clerical religious the right to a public church or oratory it must be admitted that this right is granted absolutely<sup>138</sup> and the Canon must be interpreted according to the clear significance of the words.<sup>139</sup> It is abundantly clear that the legislator did not wish to grant this right conditionally, because in the same paragraph when speaking of the right to carry out the works of the institute through the new foundation it is explicitly stated that the conditions imposed by the Ordinary must be observed.

There is no doubt that the Ordinary may grant permission for the minimum permitted by the law. He may restrict the religious to a public oratory instead of a public church,<sup>140</sup> but he cannot impose the condition of no public oratory or church. The limits of the Ordinary's authority are indicated when it is stated: "Religious institutes, even though they have obtained consent from the local Ordinary for the erection of a new house in the diocese or in a city, must obtain his permission before they build a church or public oratory in a certain and definite place."<sup>141</sup> It is clear, therefore, from a comparative study of Canons 497, par. 2 and 1162, par. 4, that a new permission in addition to the one for the erection of the house must be obtained from the local Ordinary authorizing the religious to build their church or public oratory in a certain locality. From this it follows that Ordinaries have the right of preventing Regulars and other clerical religious from building churches or public oratories in places where they do not wish to have such establishments. Thus they can determine in a more or less negative way the actual location of the churches. In this matter O'Brien quotes DeMeester, who states: "*Consensus Ordinarii tantum*

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<sup>138</sup>C. 497, par. 2.

<sup>139</sup>C. 18.

<sup>140</sup>Larraona, *CpR*. V, 1924, p. 427.

<sup>141</sup>C. 1162, par. 4.



respicit determinationem loci ubi ecclesia est aedificanda.”<sup>142</sup> De Carlo says that the Ordinary must at least grant the right of a public oratory to clerical religious, but he is not bound to give permission for a public church. He goes on to say that, as far as possible, in order to avoid disputes the actual location of the church should be decided on in the permission for the erection of the new house.<sup>143</sup>

From a reading of Canon 497, par. 2, and considering the almost unanimous agreement of canonists it is clear that the Ordinary has no power to deprive clerical religious of the right to a church or public oratory, a right granted by the Code itself, when he grants permission for the erection of a new house. The difficulty of Jombart, that the liberty of both the religious and the Ordinary is restricted by this interpretation, is easily overcome. It is possible that the Ordinary may have legitimate reasons for not desiring the erection of a new church in a certain locality; at the same time, despite this difficulty, the religious may have their own special reasons for desiring to have a house in the locality. In order to achieve this end the religious may renounce not the right to a church or public oratory but the use of that right.<sup>144</sup> Larraona writes, “The renunciation of the use of this right can be admitted, we believe, when otherwise permission would be refused with greater consequent harm to the institute.”<sup>145</sup>

Likewise, the religious may for the same reason agree to restrict their activities in their church, e.g., with regard to the times of carrying out the divine offices and worship, if otherwise the Ordinary would refuse permission for the establishment of a new foundation. In this case the Ordinary has no power to limit the right granted by the Code to clerical religious to perform in their churches the sacred functions according to the rules of law,<sup>146</sup> but the religious may renounce the use of their rights in order to secure a greater good. O’Brien in writing on this matter states:

“Since the free exercise of sacred ministries in churches and public oratories is a concession of common law, it cannot be interfered with or restricted by local Ordinaries. Stipulations, therefore, which prevent the full discharge of these functions are null and void, even though they have been agreed upon by Bishop and

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<sup>142</sup>O’Brien, o.c., p. 123.

<sup>143</sup>n. 47, n. 421, 11.

<sup>144</sup>Larraona, *CpR.*, 1924, 427; Schaefer, o.c., n. 342.

<sup>145</sup>Larraona, *ibid.*

<sup>146</sup>Larraona, *CpR.*, 1924, p. 429.

religious at the founding of the church or oratory.”<sup>147</sup>

There can be no quarrel with the first sentence, but a distinction must be made with regard to the second. A limiting stipulation imposed by the Bishop cannot be considered as valid, but if the Bishop asks as a *conditio sine qua non* that the religious limit their activities in the church by freely renouncing the full use and exercise of their rights the contract must be considered as valid. If the Ordinary acts in this way from a just cause, e.g., to preserve the parochial ministry,<sup>148</sup> or some similar reason, it is also lawful.

It must be concluded from the foregoing that the Ordinary may at times in order to protect the parochial ministry, e.g., to secure the economic survival of a parish, to safeguard the christian education of the faithful, etc., grant permission for the erection of houses of clerical religious on the understanding that they will not exercise their rights with regard to the erection of a church or public oratory, or that they will observe the wishes of the Ordinary with regard to restrictions on the carrying out of sacred functions in their church. If the religious agree to refrain from exercising these rights, the Ordinary will grant permission for the new foundation; if they will not agree to this arrangement, the Ordinary can exercise his right to refuse permission for the foundation.

#### Art. IV—THE NATURE OF THE PARISH PRIEST'S OBJECTION TO THE ERECTION OF A CHURCH OF CLERICAL RELIGIOUS.

It should be clear that, in this matter, a distinction must be made between the parochial rights of the parish priest and those functions which he usually carries out although they do not pertain exclusively to him. At the same time, a further distinction is to be made between that income which is absolutely necessary for his support and which belongs to him by law and those gifts and income which come to him by reason of the spontaneous generosity of the people and the great number of his parishioners.<sup>149</sup>

In the light of the Code legislation the reserved functions of the parish priest must be preserved by the Ordinary,<sup>150</sup> and in accordance with the direction of the law<sup>151</sup> the temporal support of the same priest must be safeguarded. Indeed it is only on these grounds that the parish

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<sup>147</sup>O'Brien, o.c., p. 125.

<sup>148</sup>See earlier, *A.C.R.*, vol. XXXIII, pp. 302-308.

<sup>149</sup>C. 463.

<sup>150</sup>C. 462.

<sup>151</sup>C. 463.

priest can object to the Ordinary. If despite the objections of the parish priest the Bishop goes ahead and gives permission to the religious for the erection of the house, the parish priest may seek an injunction in accordance with Canon 1676.

Wernz noted that even in the cases where the parish priest endeavoured to prove injury to parochial rights or diminution of the income necessary for the support of the clergy and the maintenance of the church, a recourse to the Holy See was rarely decided in favour of the parish priest.<sup>152</sup>

The reserved parochial functions are clearly defined in Canon 462 and if there is a certain and clear-cut deprivation of parochial rights the parish priest has a strong case for protest. However, as is obvious from a perusal of the parochial functions, it is difficult to see how this could arise. The Bishop, for example, has no power to deprive a parish priest of any of his rights, because these are granted to him by universal law.<sup>153</sup> Sometimes the parochial right is enjoyed by another, as in the case of a non-parochial church that enjoys the right of a baptismal font.<sup>154</sup> This cannot be considered as an invasion of parochial rights.

Pignatellus stated that the parish priest is an interested party in the erection of a new church and as such he has to give his consent. He

<sup>152</sup>Wernz, o.c., vol. III, Pars. 2a., p. 287.

Cum immo nec parochus licere oratorii constructioni resistere, nec eius consensum requiri, dummodo illius iura illaesa remaneant... S.C. Episcoporum et Regularium in Ianuen. 5 Sept. 1692, in Nucerina 12 Mar. 1693, S.C.C. in Maceraten 10 May 1687, in Theatina 29 July 1690, et in Foroliven 16 Jan. 1691. Siquidem non obstante parochi oppositione, S.C.E.E.R.R. facultatem concessit aedificandi novum oratorium in dicta Ianuen. 15 Sept. 1692, salvis tamen iuribus parochialibus. Similiter in citata Nucerina obstiterat parochus non solum ob timorem deficientiae elemosynarum, sed etiam ne populi frequentia imminuerentur, ac interponeretur difficultas explicationi catechesis, sacrisque supplicationibus. Cum tamen Episcopus in actu visitationis facultatem impertitus fuisset construendi oratorium nonnullis adiectis conditionibus et sine praeiudicio iurium parochialium re relata ad eandem sacram Congregationem, die 12 Martii 1693 rescriptum prodiiit—serventur deposita per Episcopum; eademque fuit pro constructione oratorii sententia in Placentina oratorii, die 20 Maii 1697, licet parochus et Episcopus dissentirent. Sancta autem Congregatio Concilii, nulla de parochi dissensu habita ratione, licentiam aedificandi oratorium concessit in memorata Maceraten, 10 Maii 1687—cum obligatione congruae dotis, et salvis iuribus parochialibus. Item in dicta Theatina 29 Julii 1690, quamvis Archiepiscopus dissentiret, ne villici propriam parochiam dissererent. Ac demum in praefata Foroliven 16 Jan. 1691, in quo parochus ob proximitatem ecclesiae parochialis contradixerat. *Collectio Omnium Conclusionum et Resolutionum Congregationis Concilii ab anno MDLXIV ad annum MDCCCLX*, Salvator Pallottini, Vol. 17, Romae, 1867-1893, *Oratorium* 1, p. 445.

<sup>153</sup>See C. 81.

<sup>154</sup>See O'Brien, o.c., p. 164.



is interested in the erection of a new church, because in it the Sacraments are to be administered, the faithful buried, and other ecclesiastical and sacred functions carried out. From all these activities in the new church, he concluded, prejudice can arise and injury can be done to the rights of the parish priest.<sup>155</sup> Schmalzgrueber follows the same argument.<sup>156</sup> Reiffenstuel maintained that the parish priest was an interested party, because it can happen that, with the construction of a new monastery, the rights and income (offerings) of the parish priest would be so reduced that there would not be sufficient for his support.<sup>157</sup>

In considering this question these authors failed to distinguish between two types of losses that could befall a parish priest because of the erection of a new church. With Bouix, a distinction must be made between:

- a) a loss of something to which a person has a strict right, and
- b) a deprivation of something to which a person does not possess a strict right.<sup>158</sup>

This distinction is clear in the following case. A shopkeeper has a right to the goods which he possesses, and an injury is done him if he is unjustly deprived of these goods. The profits which will accrue to him as a result of his trading do not belong absolutely to him and he has no exclusive right to them. If a competitor sets up his business and commences trading no injustice is done to the original merchant, and both may trade in order to make a profit.

Similarly with the parish priest, he cannot be deprived of those rights that the Code grants him in Canon 462, nor can he be deprived of that just support and maintenance which is due to him in return for his pastoral labours.<sup>159</sup> When there is question of building another church in his parish his parochial rights are to be preserved and he must receive a sufficiency for his support. On the other hand, any falling off in the voluntary offerings made to him formerly, provided that his actual income be sufficient, does not injure his rights in any way as in point of fact he has no absolute or exclusive right to them. Likewise, if the attendance of the faithful in the parish church is reduced, his rights are not injured, because as has been seen earlier, people are not obliged to fulfil their obligations in the parish church. These

<sup>155</sup>O.c., Tom. 1, Consultatio 179, n. 52.

<sup>156</sup>O.c., Tit. 36, Lib. III, n. 35.

<sup>157</sup>O.c., Tit. XLVIII, 11, n. 33, vol. III, p. 726.

<sup>158</sup>*Ius Regularium*, vol. 1, n. 287.

<sup>159</sup>C. 463, par. 1.

losses which accrue, to the parish and the parish priest are compensated for by the greater spiritual good which is obtained by having another church in the parish. Generally speaking, therefore, the parish priest cannot object to the foundation of a community of clerical religious in his parish on the grounds that their church will cause a falling off in the attendance at Mass and other parochial functions with consequent diminution of income. In these circumstances, after the Ordinary has given permission to the religious the parish priest has no grounds on which to seek an injunction and introduce a case, *ex novi operis nunciatione*.

However, where the parochial income is entirely dependent on the voluntary offerings of the faithful, and where large debets and mortgages are to be paid off and this is being done only with great difficulty, the parish priest has a very good case, because if another church were to be erected in the district it is only natural that some of the necessary parochial income would be diverted to the religious. This is the case in many instances in Australia. The faithful build and maintain their parochial churches by voluntary contributions. At the same time, owing to the absence of government subsidy and assistance for education they build by their own efforts and financial support all Catholic schools whether primary or secondary in addition to maintaining the religious teachers by payment of school fees. The education system as well as charitable and social activities are supported by the parishioners under the direction of the parish priest. In these circumstances the presence of another church in the parish could constitute a serious drain on the economic resources of the parish. Consequently, the parish priest has just grounds for objecting to the Ordinary and would have at least the right to demand that certain conditions would be imposed on the religious to safeguard the parochial undertakings, e.g., a levy to be paid as a tax to the Ordinary for distribution to the parish priest.<sup>160</sup>

T. J. CONNOLLY.

The End.

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<sup>160</sup>See Piat, o.c., vol. 11, pars. V. cap. 11, Q. 325, n. 3.

# The Catholic Times (1877-79) and the Express (1880-84)

## TWO CATHOLIC PAPERS PRINTED IN NEW SOUTH WALES. II.

*Summary:* Policy of the Express—Dr. Vaughan's part in the direction of the paper—the Education struggle—The Express and the Anglicans—the Express and the S.M. Herald, the Echo and the Evening News—Attitude of paper to Sir Henry Parkes—Prominent writers—End of the Express in its original form.

The policy of the *Express* was to a wide one. Its general drift was to be that of the Catholic Church throughout the world, placing views founded on her teachings before the people "so that they may possess a stable guide and a steady light amidst the ever-changing tactics of politicians, and the uncertain crudities of self-made divines."<sup>32</sup> In addition, it would:

1. Defend the Church against attack or false witness.
2. Plead the cause of pure morality,
3. Support Christian education and follow the teachings expounded by the Hierarchy, seek payment by results, and give authoritative information about the "Great Catholic Education Union,"<sup>33</sup>
4. Take an especial interest in the building of the new Cathedral and be first with important news about it,
5. Be the official organ of the "great Temperance movement which will shortly be set on foot,"<sup>34</sup>
6. Publish official ecclesiastical announcements, "and all such information as otherwise might not be understood to have upon it an authoritative seal,"
7. In politics, to adhere to principal, the intrinsically just and true, disregarding popular clamour and momentary unpopularity: "we may not be slaves to the people, and the mouthpiece of those whom we undertake to guide,"
8. Give the best in general news, literature, commerce, etc., here and overseas,
9. Keep up with affairs in Ireland: "Nor shall we forget, nor can

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<sup>32</sup>*The Express*, Jan. 17, 1880.

<sup>33</sup>Inaugurated at about the beginning of 1880, "for the maintenance of denominational education and the obtaining of payment by results." Subscription was one shilling a year. It was not persevered with for more than a few months.

<sup>34</sup>No such organisation was formed at that time.



we, that the old green land is the land that most of us love, as the home of our fathers or ourselves, and we shall not fail to do all we can to place before our readers such information as will convince them that, whilst the *Express* takes a wide and lofty view of its duties and functions, it knows what true patriotism means; knows how to be thoroughly loyal to the throne, and, at the same time, thoroughly faithful to the Fatherland,"

and 10. Promote the advancement of the colony and harmony within it—"Our adopted country shall not be forgotten."

As the *Express* was conducted by "a body of clergymen and lay gentlemen under the Chairmanship of His Grace,"<sup>35</sup> this policy was officially formulated by the composite body, but in the 9th point (*vide supra*)—the only one which calls for comment—the guiding hand of Dr. Vaughan may be seen in the effecting of a compromise.

Even before he had come to Australia he knew that he would encounter a difficulty with his Irish-Australian subjects because of his high English birth. Consequently he went out of his way, though never with loss of dignity, to show his great respect for everything that was good in the Irish people and his sympathy for Ireland in her just grievances and troubles. As it was especially necessary at the time the *Express* appeared that he should possess the confidence of all Irish Catholic colonials in carrying through his education campaign, it was more than an expediency for the new paper to 'plug' a pro-Irish line and, constantly, to impress upon its readers that Dr. Vaughan was 'spending himself and being spent' in the interests of his Irish subjects.

At the same time there was seen to be nothing inconsistent in being "thoroughly loyal to the throne," even for Irishmen. "Loyalty, with Catholics," it was said,<sup>36</sup> "is not a matter merely of taste or private judgment, but of stable duty and of supernatural religion, and since we hold that all legitimate power is from God, our steadfastness to the Throne is intimately connected with the stability of the Catholic faith itself." It was a definite part of the policy of the paper, therefore, to foster this attitude of loyalty and to seize upon the opportunities as they arose to praise Queen Victoria.<sup>37</sup> When the two Royal princes, Albert Victor and George, visited the colony in July of 1881, the *Express* assured them of a very loyal welcome from Catholics,<sup>38</sup> at the same time,

<sup>35</sup>*The Express*, July 17, 1880.

<sup>36</sup>*Ibid.*, May 22, 1880.

<sup>37</sup>*Ibid.*, March 11, and May 27, 1882.

<sup>38</sup>*Ibid.*, July 16, 1881.

chiding Parkes and the *Herald* for a showing of incipient disrespect toward them, and through it a symptom of disloyalty toward the crown.

Unfortunately, or so it appears to the present writer, the policy of 'not forgetting the old green land' was practised to such an extent as to cause a serious defect in the paper. While it is admitted that such a course was politic in the first instance, it cannot be agreed that there was a necessity, once the paper got under way, to give so much purely Irish news or to devote so much editorial space to events in Ireland as was done. Examining most issues a reader experiences a feeling of dreary tedium in seeing column after column dealing with what Bright, Gladstone, or anyone else, said about Ireland; what Parnell, Dillon and their cohorts were doing; the constitutional struggles and the moves for Land Reform. No doubt, a little of that type of news had a definite and useful place, but it was over-emphasised and out of tone for an Australian paper, and a criticism levelled at the *Freeman's Journal* in this regard applies almost equally to the *Express*.

As the *Express* was born out of the controversy over Education it was fitting that a large amount of its space was devoted to that topic and that its opinions on some other subjects were formed in the light of local happenings having a bearing on Education. By the beginning of 1880 it was pretty clear that Parkes' Bill would be passed in its essential details and that by the end of 1882 Catholic schools under the State system would be things of the past. One of the tasks given to the paper, arising from this, was to help 'educate' the Catholics to the fact that if they wanted their children instructed in the Catholic religion they would have to pay for it out of their own pockets. In bringing this notion of the worth of a material sacrifice for a spiritual benefit to a position where action would follow, the fostering of a spirit of 'martyrdom' had a useful place. Dr. Vaughan's address to the Catholics of Balmain in November of 1879, when he spoke of the 'Scavenger's Daughter'<sup>39</sup> was a somewhat classic example of an attempt in that direction. Then the *Express* took up its place in this side of the campaign by concluding an editorial in its first issue,<sup>40</sup> entitled "The Spirit and the Flesh," with the following paragraph:

"We here in New South Wales are threatened with our share of persecution. We have already suffered enough to rouse up the Catholic spirit in a way which it has never been aroused before. Never were the Bishops more united with the Archbishop, never were the laity so

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<sup>39</sup>*Pastorals and Speeches on Education, op. cit.*: Balmain, pp. 28 seqq.

<sup>40</sup>Jan. 17, 1880.

thoroughly united in heart and soul and spirit with the rulers of the Church of God. There is a spirit abroad which speaks of an intense earnestness. And in proportion as persecuting legislation is enacted, in proportion as Catholics are worried and fined and spiritually tortured, because they are determined...to bring up their children thorough Catholics, in thorough Catholic schools, in that very same proportion will Catholicity flourish and prove to the world that the flesh, led by all the power of the present government, will not be able to quench, by tyrannical legislation, the energies of the spirit, or lessen by one iota the influence of the Holy Roman and Catholic Church."

A flavour of the same spirit shows itself in an excellent comment upon "The 26th Clause," which carried with it a very neat prediction of what, in effect, did happen when the Public Instruction Act was implemented:<sup>41</sup>

"In a word, the Anglican Church is to be knocked on the head, or at least, her schools...because Dr. Vaughan, forsooth, happened to speak out and teach his people the doctrines of the Catholic Church... This is surely rather 'rough' on Dr. Barker,<sup>42</sup> and it seems a little too bad that the Archbishop of Sydney should not only upset that high prelate in his 'Advent Conferences'<sup>43</sup> but should now, with the assistance of Sir Henry Parkes, put an extinguisher on all his Protestant schools throughout the colony... Rome is the red flag, but the real bull that the matador is bringing to the ground is the great Anglican Church..."

"With regard to the Catholic Church the case is different. What is about to happen here has already happened elsewhere, and the Church has gained rather than lost... The withdrawal of State Aid will be a great strain for a time; but we are capable of meeting and enduring it. The very fact of suffering this iniquitous persecution will nerve us to be generous and to make every sacrifice for the good of souls."

Looking back over the field of events since 1880 one can see how true this was, especially the last sentence. In it can be seen one of Dr. Vaughan's major victories in that he successfully induced Catholics to realise that they could, should, and, finally, would pay for their own schools. And in it, too, as a component in attaining success, the very thought of a *sacrifice* holds a prominent place. Not that it is suggested that Catholics are undue lovers of personal sacrifice, but had there not

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<sup>41</sup>Feb. 21, 1880.

<sup>42</sup>The Anglican Bishop of Sydney.

<sup>43</sup>Replies to attacks by Barker, given toward the close of 1875.



been a sacrifice involved who is there to say that the Catholic primary and secondary schools would be where they are to-day?

The attitude of the *Express* towards the Anglican Church in the colony sprang principally from that body's reaction to Parkes' Bill. Admittedly there was a considerable praise extended to those individuals such as the Victorian Bishop, Dr. Moorhouse, and the politician, Alexander Gordon,<sup>44</sup> who advocated Anglican denominational schools, but the official Anglican body of New South Wales, by passively swimming with the tide in 1879-80, made itself a mark for contempt. "What is it that makes the Church of England so impotent in New South Wales?" asked the paper in 1882.<sup>45</sup> "How is it that, as an ally, she is useless or worse,\*and, as an enemy, contemptible? ... Is the real explanation of this (weak-kneed policy in education) that the members of the Church of England, after all, do not value religious education? We think it is. It may call itself what it likes, but when all is said it must be admitted that the Church of England is, in its essence, a Protestant Church. A Protestant Church is really only a parasite. It is based on a negation and must expire with the death of the affirmation which it denies..."

In another summing up after the Anglican Synod of 1881<sup>46</sup> the *Express* said that that Synod "has done more to weaken faith, to strengthen free thought and to bring Christianity into ridicule, than any thing that has happened of late amongst our 'separated brethren', except perhaps the publication to the world of the revised edition of the Bible." And how the writer, and his readers, must have smiled at an editorial, "The Premier as Primate,"<sup>47</sup> composed after Parkes had delivered a main speech at a gathering of Anglican clergy: "Sir Henry..., as is fitting, has now been recognised as representative head of the Church by the Anglican hierarchy at the Symposium at St. Paul's (College)"!

In 1884, after the demise of Dr. Barker (and of Dr. Vaughan), and the advent of Dr. Barry, Barker's successor, a new line was taken up. Dr. Barry was in favour of religious training in schools and at his injunction "all of the various sects (had) conferred together and agreed on the need of restoring religion to the schools." As the lesser of two evils the *Express* maintained that it was better for the State schools to

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<sup>44</sup>*The Express*, Jan. 17, 1880.

<sup>45</sup>*Ibid.*, April 8.

<sup>46</sup>*Ibid.*, Aug. 29, 1881.

<sup>47</sup>*Ibid.*, Aug. 28, 1880.

turn out Protestants than Atheists and extended a limited support to Barry's suggestions. Yet, as it said, "there are some Catholics who are angered at such a proposition. They can endure in silence an 'Education Law which taxes Catholics to support Godless State Schools, but they are unspeakably provoked if the same money supports religious schools. . . For men of limited intellect and limited charity this is a very natural attitude." In taking the broader view, so to speak, of turning the other cheek, the paper thought that "the quicker might come justice for the Catholics,' but another Catholic paper, the Bathurst *Record*, did not agree.<sup>48</sup> In any case Barry's move came to nought.

The attitude of the *Express* towards its opposing numbers in the press, naturally, was one of defence for the Catholic position and counter-attack to its critics. As the *Sydney Morning Herald* was the principal colonial paper a close watch was kept on its columns and it was regarded as the chief opponent of the *Express* on its own grounds. Therefore, as often as Dr. Vaughan made some major pronouncement on education, so often did the *Herald* attack his statements, and so often, in return, did the *Express* attack the *Herald* and agree with Dr. Vaughan. A similar treatment was extended toward the *Echo*, the *Evening News*, and the smaller-fry trumpets. As an instance, after the *Evening News* came out with a diatribe about "Priestly Politics," the retort came back: "We are sick of these stupid and repeated attempts to wrench the Catholic Church asunder in this colony by setting the people against the priests and against the Bishops. . . This vapid talk is simply a repetition of the tactics of the *Herald*, which has already had the effect of welding the Catholic body together. . . in a manner never known before."<sup>49</sup>

Nor was the *Freeman's Journal* beyond the pale of receiving some criticism. On one occasion the two papers engaged in a somewhat foolish controversy as to whether the 'donation' of Constantine was fact or forgery. While it was going on the *Express* took the opportunity, in a plea to "Save Us From Our Friends," to go outside the narrow limits of the argument to state a few things that it had harboured up: "More than once this very loyal journal has gone out of its way to attack the *Express* and, through the *Express*, its proprietary. Nay more, this Catholic paper has not scrupled to criticise the action of the Hierarchy, and now. . . it presumes to asperse the character of the Church of God herself."<sup>50</sup>

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<sup>48</sup>*Ibid.*, May 31, and June 28, 1884.

<sup>49</sup>*Ibid.*, Jan. 31, 1880.

<sup>50</sup>*Ibid.*, Jan. 28, 1882.

With regard to colonial politics the *Express* paid a foremost attention to Sir Henry Parkes and, in this, there was nothing strange. There was no doubt that it wished to see Parkes out of the parliament—though there was a remarkable change in policy in its very last issue—and every opportunity was taken to make him appear a vain and vulgar go-getter, that the electors might reject him. Yet, at the same time, it rarely, if ever, was guilty of head-long vituperation in referring to him. In fact, there was something of the ‘gentlemanly’ attitude in the paper, such as was shown by Dr. Vaughan, himself, when he called especially to enquire of Sir Henry’s health on one occasion when the Premier fell ill.<sup>51</sup>

As an example, even after Parkes had had such hard words to say about Dr. Vaughan and the Catholic Church in his third reading speech on the Public Instruction Bill, the *Express* was not more vicious toward him than was written in the following:

“Whether he were once a Chartist...we are not in a position to determine. All we know is that he rose from the ranks and is now Prime Minister in New South Wales. The fact of his ruthlessly murdering the Queen’s English may be one sign of a seditious temper, and the way he treats her H’s, like a desperado, is a token, at all events, of a defective education. His intellectual incoherence, his blundering on delicate occasions, and his marvellous—his sublime—vanity, are signs that he has not had the advantage of the ordinary training of a gentleman. This is the colony’s misfortune—not Sir Henry Parkes’ fault. For a young nation, especially, to be ruled by an adventurer, however naturally sharp, who cannot possibly have penetrated beyond the mere outer skin of political sciences, is indeed more than a misfortune—it is a calamity.”<sup>52</sup>

Parkes’ lack of the finer graces provided his opponents with ample material for comment and when he was beaten by William Forster for a seat on the University Senate, by the machinations (or so it was suggested) of Catholic graduates, the *Express* ‘cheered’ with some show of enthusiasm, saying: “It was notorious that he could not get through the Latin Grammar; and that Greek was, and always will be, Greek to him. As to ciphering, his creditors will vouch for how much he knows of that!”<sup>53</sup>

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<sup>51</sup>*Ibid.*, Sept. 16, 1882.

<sup>52</sup>*Ibid.*, March 6, 1880.

<sup>53</sup>*Ibid.*, April 24, 1880.



Sir John Robertson, Parkes' co-leader in the administration, also came in for a measure of criticism and the *Express* did not see him to be "the most patriotic statesman and the greatest public benefactor this colony has yet had," as O'Connor had done in the *Catholic Times*.<sup>54</sup> Perhaps that was because of his doubtful role with respect to the Public Instruction Act. He was also chided for what were considered to be poor Land Laws,<sup>55</sup> nor was the solution seen in the Land Reform Bill which was introduced toward the end of 1882 and which led to the defeat of the Government.

That defeat certainly was something that the *Express* was looking for, its attitude being clearly stated in the following comment:

"For four years we have been almost without any genuine politics. The alliance of Sir Henry Parkes and Sir John Robertson, the want, for a time, of any question of political interest, the power which Sir Henry Parkes again showered in stirring up religious bigotry—all combined to create a docile majority in the House and apparently in the country as well. With a weak Governor (Loftus), subservient colleagues, an obedient majority, and a torpid public, Sir Henry Parkes has been able to do pretty much as he pleased for four long years."<sup>56</sup>

The *Express* gave a hearty support to Alexander Stuart's new administration and described his Land Reform Bill as a "masterly measure."<sup>57</sup> However, when modifications were introduced into that Bill to such an extent that it bore little resemblance to the original, support for it and Stuart waned until, finally, the paper urged that the measure be talked out of the House at the third reading stage.<sup>58</sup>

Then, having dropped Stuart and his ministry—"which has wearied and disappointed friends and foes alike"—the paper performed a *volte-face*, as amazing as it was unexpected: It poured out grandiloquent flattery to Parkes and besought him to return to the Premier's chair! It asked him to change his attitude to land reform and to education, and with "a bold spirit, clear head and strong will" to lead "the movement already bristling with life...to a glorious victory...: The hour has arrived and with it the man. Will his good genius—the guiding spirit of nigh half a century of political life—desert Sir Henry Parkes in the moment of his greatest need?"<sup>59</sup> Were it possible for Dr.

<sup>54</sup>*Ibid.* part I.

<sup>55</sup>*The Express*, Oct. 14, 1882.

<sup>56</sup>*Ibid.*, Oct. 20, 1883.

<sup>57</sup>*Ibid.*, Oct. 20, 1883.

<sup>58</sup>*Ibid.*, Aug. 2, 1884.

<sup>59</sup>*Ibid.*, Aug. 30, 1884.

Vaughan to turn in his grave in far away England, he must have done so when that was printed! Perhaps it was just as well that the issue in which it appeared was the last of the *Express* in its original form.

From time to time the paper had something to say about the part that Catholics might play in politics, either as ordinary voters or members of the parliament. Without any obvious exception these comments were well-reasoned and not calculated to give offence to unbiassed minds. But, while being moderate, in this respect, it was quick to point out its contempt for the Orange societies and their boasts that 20 members of the parliament were Orangemen, only 11 Catholics, and the rest Protestants "mainly elected through the influence of the institution."<sup>60</sup> It hoped to see each Orangeman tossed out at the first opportunity as "any honest man should be preferred before him."<sup>61</sup>

How such an object might be obtained was explained in a rather important editorial on "The Use of the Catholic Vote."<sup>62</sup> "One thing is necessary," it said, "the Catholics in a general election should always act together. Whether the object be to secure a good candidate or merely to turn out an undesirable one; to secure a friend, or to teach a lesson to the enemy—both priests and people should act in perfect unison," along a course pointed out by "a few good thinking heads at the centre, with kindly words and winning ways—one good head like that of Sir John O'Shannassy, for instance——," rather than by any complex organisation.

This last editorial had at least one important aftermath in that it caused Dr. Vaughan's connection with the paper to be officially defined. Wrote Dean Sheridan, the Vicar-General:<sup>63</sup>

"As some persons are under the erroneous impression that his Grace the Archbishop is responsible for the printed matter in the *Express*, his Grace has requested me, once for all, to publish the following quotation from 'The Pastoral Letter' of the Fathers of the 2nd Plenary Council of Baltimore expressing his opinion:

"We wish to guard against the misapprehension, which frequently arises from the Bishop's name being connected with such papers (referring to the Catholic Press), in so far as they are recognised as *organs*, that is, mediums through which the Ordinary communicates with his diocesans. This circumstance gives no sanction to the articles

<sup>60</sup>*Ibid.*, April 8, 1882.

<sup>61</sup>*Ibid.*, Sept. 17, 1881.

<sup>62</sup>*Idem.*

<sup>63</sup>Given on Sept. 22, 1881, and published in *The Express*, Sept. 24, et seqq.

which appear in such papers, other than they may derive from the name of the writer, when given; still less does it identify the Bishop (or Archbishop) with the paper, so as to justify the conclusion that whatever appears in it has his sanction and authority.'

"At the same time I am instructed by the Archbishop to say that he takes the deepest interest in the *Express* and will give it all the assistance in his power."

It has not been possible to ascertain the names of all who were principally associated in the production of the *Express* but some of the more important are known. In its earliest times Father P. J. Mahony, of St. Mary's, Father George Dillon, of Balmain, Father T. S. Leonard, of Darlinghurst, and Dean Sheridan had a large connection with it. Dean Mahony, at his death, was referred to as "the chief promoter of the 'unfortunate paper',"<sup>64</sup> and he, Father Dillon, and Dean Leonard appear to have made contributions to its columns as well as acting as directors. Dean Sheridan's connection, on the other hand, seems to have been more in the nature of *ex officio*. These four priests were among the most active in all works during Dr. Vaughan's episcopate and there were numerous occasions on which he praised them and thanked them for their efforts.

The association between Father Dillon and Dr. Vaughan in this enterprise, and others, was full of interest. 'Red' Dillon—"Red" on account of the colour of his hair, not his politics, which had a distinctive green hue—had been quite honest in telling Dr. Vaughan, when they met for a first time at Burragorang in February of 1874, that he, like many others, was not enamoured of his (Dr. Vaughan's) appointment when it was first announced because he was unknown here and looked upon as being very young<sup>65</sup>—and it might have been added, 'because he was an Englishman'; but when they met him and learnt what he was like it was an entirely different matter. From that time Father Dillon held an especial place with Dr. Vaughan, who was quick to appreciate his worth as a forthright and uncompromising kindred spirit. After Father Dillon was re-appointed to Balmain in 1878 Dr. Vaughan paid every attention to that parish of Irish working men, and handsome was the reward as there was no firmer supporter of Dr. Vaughan's policy in education than Father Dillon was. When he went overseas at the end of 1881, on what was to be a rest trip but which proved a final departure, as ill-health prevented his returning, his efforts for the *Express* were

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<sup>64</sup>*Freeman's Journal*, Jan. 9, 1892.

<sup>65</sup>*Ibid.*, Feb. 21, 1874.



suitably recognised in the farewell address from the people of Balmain: "And then, amidst these (other) ceaseless labours came the generous able aid given by your powerful pen, without stint, during this year and last year, to the cause of the Catholic newspaper press. Already we feel the want of this power, as unostentatiously as it was profitably rendered."<sup>66</sup>

Amongst laymen who worked for the *Express* were Abraham Haynes, who brought out the first issue, Thomas Donovan, John S. Duer, E. M. Farrell, John McCrory and Joseph Sheridan Moore. Haynes does not appear to have stayed long with the paper and Donovan—the son of Jeremiah and brother of John, M.A., LL.D.—left Australia in May of 1880<sup>67</sup> to take an English law degree and, subsequently, to spend a large portion of his life in literary pursuits in Europe. Little is known of Duer's earlier or later life, but he was an elegant writer where he can be traced with certainty,<sup>68</sup> and it seems not too much to say that the *Express* was at its best while he was connected with it (1880-82). McCrory, who took over the publication of the paper from Duer, was another fair writer; Farrell was a manager. It is difficult to discern just how much Sheridan Moore had to do with the paper. He, of course, is widely known for his efforts in colonial journalism from 1857 onwards and for his endeavours to stimulate interest in local literature.

The *Express*, which was of 8 pages demy and priced at 3d for all of its issues, apparently received a fair support from the beginning and high hopes were held out for its ultimate wide success. Circulation was doubled over the months of April, May and June, 1880,<sup>69</sup> and by the end of the first year had increased "to an extent previously unknown in the history of weekly newspapers."<sup>70</sup> Indeed, such was the encouragement that serious consideration was given toward bringing out a Catholic evening journal.<sup>71</sup> It was felt that a new era had been started in journalism by holding commercial success as a second priority to that of exercising a powerful influence for the common good<sup>72</sup> and effort was not to be spared to make the paper the "Newspaper of the

<sup>66</sup>*The Express*, Dec. 31, 1881.

<sup>67</sup>*Ibid.*, May 29, 1880.

<sup>68</sup>As, for instance, in his series, "A Visit to St. John's College," I-X, as appeared in *The Express*, Aug. 28-Oct. 30, 1880, which was revised and published as *A Handbook to St. John's College* (Cunningham: Sydney, 1881).

<sup>69</sup>*The Express*, July 17, 1880.

<sup>70</sup>*Ibid.*, Jan. 1, 1881.

<sup>71</sup>*Ibid.*, June 26, 1880.

<sup>72</sup>*Ibid.*, July 17, 1880.

Colonies—one which may be always consulted with confidence by the whole people on all the great questions of the day.”<sup>73</sup>

While it might have been true that commercial success was a secondary consideration a heavy loss certainly was not desired. Hence, after two years of operation, when the lag in subscriptions amounted to between £2000 and £3000, a note of financial urgency was sounded: “If the *Express* had been in private hands the subscribers in arrear would have been reminded of their obligations long ere this.”<sup>74</sup> Monetary affairs then assumed a greater importance, with various measures being taken to realise upon bad debts. Just how much was lost on the venture is difficult to say, but, in later days, the *Freeman's Journal* was wont to do a little gloating over what it called the ‘failure’ of the *Express*, which, it said, “it is pretty well known, involved all concerned, including the late Archbishop in a considerable financial loss.”<sup>75</sup>

The death of Dr. Vaughan was a serious blow to the stability of the paper and its situation deteriorated thereafter. In 1884 it was purchased by J. G. O'Connor, Cyril Weale and McCrory, and they, possibly thinking that Dr. Moran was more likely to favour the *Freeman's Journal*, decided on a ‘new departure’ to take effect in the week that he arrived in Sydney.<sup>76</sup> With this change, though it continued on under the old name, the paper essentially became a new production, interest in which is outside the scope of the present article.

Rather fittingly the last issue of the old *Express*, on its last page of news, carried a full report of the panegyric given in Sydney by Father David Barry, O.S.B., on the occasion of the observance of the first anniversary of the death of its founder.

R. A. DALY.

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### SHORT NOTICE.

PHILOSOPHY TO-DAY. Quarterly edited by the Society of the Precious Blood, St. Joseph's College, Indiana.

It is a digest of articles from a wide field of philosophical journals. The first number contains fifteen such condensations, giving a good picture of trends in contemporary philosophy. Among them are: H. H. Price, “The present relations between Eastern and Western Philosophy”, from the *Hibbert Journal* of April, 1955; “The virus and the synthesis of life”, by Jean Moretti, S.J., from *Etudes*, April, 1956.

We hear often of priests in busy parishes who would like to keep up their philosophy. The present publication would be a great help to such priests. It may be obtained from St. Charles Seminary, Carthagena, Ohio, at four and a half dollars a year. The present reviewer is willing to handle orders for it.

F. A. MECHAM.

<sup>73</sup>*Ibid.*, Jan. 22, 1881.

<sup>74</sup>*Ibid.*, Dec. 31, 1881.

<sup>75</sup>*Freeman's Journal*, Jan. 9, 1892.

<sup>76</sup>*The Express*, Aug. 16, 1884.

# The Nature and Function of Education

## Summary:

1. Aim of article to show: (a) Primacy of spiritual over temporal, (b) Education is of its nature religious.
2. Definition of: (a) Natural religion, (b) Supernatural religion.
3. Christianity (a) is the highest form of supernatural religion, and (b) manifests itself in and through the Christian Church.
4. The Church considered as: (a) Mystical Body of Christ, and (b) Kingdom of God.
5. State versus Church—main argument based on the Thomistic doctrine of Ends. Also considered are: (a) Christ and the Redemption, and (b) Nature and Grace.
6. Christian Universalism versus Eclecticism. (a) The spirit makes spontaneously for universalism, (b) Bolshevik eclecticism.
7. Religion is education and education is religion.
  - A. Educative function of the Church. (i) Divine mandate and authority. (ii) Eschatological element, (iii) Historical aspect.
  - B. Educational philosophy based on view taken of Original Sin. (i) Christian teaching, (ii) Norwood Report.
8. Alternative to Religious Education.
9. Education is a social activity: (a) Three societies—family, civil society, church, (b) Parental rights—moral and legal aspects, (c) Primacy of the Church.
10. Formal statement of object of education.

"The child, whether in the family, the school, the church, or engaged in leisure-time activities, needs to have a personal appreciation of the higher spiritual values. Any programme of child development which falls short of this level not only is superficial from an educational point of view, but is not consonant with the ideals of democracy. It would be possible to provide the child with adequate economic support, proper housing, the best medical and dental care, and equalised opportunity for formal education and still provide no more than totalitarian states are able to provide."<sup>1</sup>

This quotation, taken from the report of a group of leading American educationists, at the very least implies the necessity for religion in education. However, I am of the opinion that we should speak rather of education in religion. It is my purpose in this article to illustrate the primacy of the spiritual over the temporal and show from this that all education not only should be religious but is of its very nature religious.

Before proceeding, it would be as well to define Religion. Natural

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<sup>1</sup>Preliminary Statements submitted to the White House Conference on Children in a Democracy, 1940—page 80.



Religion is the sum of man's duties in so far as they can be ascertained by the light of reason alone. Without going into the philosophic proofs, we can infer that man has duties to God, to himself, and to his neighbour. Man's duties to God are two-fold: individual duties and social duties. With regard to the former, man recognises in God a Being of supreme excellence, to whom he owes his entire being and its preservation at every instant, his faculties, or powers of acting, his sense of right and wrong and his sure hope that a good life will bring him everlasting happiness after death. Man, therefore, perceiving his own inferiority and his total dependence on God, is bound to acknowledge Him by offering Him the supreme homage of adoration. With regard to the latter, a Society is a group of individuals united for a common purpose under a common authority. The family is a society for the rearing of children under the authority of their parents. The State is a number of families united under one government for the temporal well-being of all. Since society, whether it consists of the Family or the State, is necessary for man, it follows that society is a Divine institution. It is a creation of God, indebted to Him for its existence and preservation, and for the benefits it receives; it can think and act through its governing authority; it, therefore, resembles a living person; it is conscious of its debt to God, and is under a like obligation to discharge it. It might be noted that, even from the point of view of worldly advantage, the State should show respect for religion. For, without the aid of religion, the State cannot secure permanently the two conditions on which its existence depends namely, that the citizens deal justly with one another and that they be loyal to the common authority.

Besides Natural Religion there is also Supernatural Religion, that is religion that is revealed to us specifically by God.

"Now of these two things—Religion and Education—Religion is the greater, for Religion is the end and Education is the means thereto. Religion treats of God and the things of God. Education, if it be religious, finds, indeed, a high and noble place among the things of God; but, if it be not religious, it must be confined to things human, temporal and transitory, and will not make a great success even of these. Indeed, it cannot, since if Religion be ignored, Education is forced to treat man as self-sufficient and autonomous, and man is neither. Man is God's creature, made to God's image and likeness. He is not then autonomous, but owes duties to his Creator. Should he fail in these duties, he fails in the purpose for which he was made. Man was made for God; God is his end as well as his beginning. Man is not then self-

sufficient. If he seeks his happiness elsewhere than in God he will not find it, for in accordance with that famous saying of St. Augustine: "Thou hast made us for Thyself, O Lord, and our heart is ill at ease until it rests in Thee."<sup>2</sup>

The highest form of Supernatural Religion is Christianity which manifests itself in and through the Christian Church. "The Church is his body, the fulness of him that filleth all in all." (Eph. 1, 23.) When we define the Church as essentially the Kingdom of God and the Body of Christ, it follows as her first particular attribute that she is supernatural and heavenly. The Church is ordained towards the invisible, spiritual and eternal. But the Church is not only invisible. Because she is the Kingdom of God, she is no haphazard collection of individuals, but an ordered system of regularly subordinated parts. And because the Church is the Body of Christ, she is essentially an organism, with its members purposively interrelated, and a visible organism. That is her second particular attribute. Christ, as the Head of His members, never works on the individual believer in dissociation from His Body, but always in and through it. That is to say that the supernatural redemptive might of Jesus, as it reveals itself in the Church, is not tied to a single person, but only so far as he is a divinely-appointed organ of the community. The Spirit of Christ is introduced into our earthly life, not through the medium of individuals endowed with special charismatical gifts, but through the ministry of an ordered hierarchy, which, being appointed by Christ to be the structural basis of the community, creates, supports and develops it. So the Church possesses the Spirit of Christ, not as a many of single individuals, nor as a sum of spiritual personalities, but as the compact, ordered unity of the faithful, as a community that transcends the individual personalities and expresses itself in a sacred hierarchy. This organised unity, this community, as germinally given with the Head, Christ, and depending upon His institution, is a fundamental datum of Christianity, not a thing created by the voluntary or forced association of the faithful, not a mere secondary and derivative thing depending on the good pleasure of Christians, but a thing which, in the divine plan of salvation, is in its essence antecedent to any Christian personality and is to that extent a supra-personal thing, a comprehensive unity, which does not presuppose Christian personalities, but itself creates and produces them.

The Body of Christ and the Kingdom of God came into being as

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<sup>2</sup>Address by Very Rev. J. C. Thompson, M.A., Dip.Ed., to the N.E.F. in 1943 on Religion in Education—page 16.

objective reality at the moment when the Word was made flesh. We must take this connection to heart if we would appreciate this conception of the Church in all its profundity. Only so shall we understand why the idea of community is its dominant idea, and why the community cannot be the product of the faithful, a creation of these or those persons, but must be a supra-personal unit, a unity which permeates and embraces the whole of redeemed humanity. As such a unity the Church is nothing vague or undefined, but the actual inner unity of redeemed humanity united with Christ. In this conception of the Church the decisive element is not this or that person, but all mankind. It can be realised from the above that the Church possesses, in the words of the theologians, "*suprema et plena potestas jurisdictionis*"—absolute and complete power of jurisdiction which, of its very nature, must be independent of every human authority.

We have, then, two authorities—the State and the Church: two powers—the Spiritual and the Temporal. Nothing is more important for the freedom of souls and the good of mankind, and a right conception of Education than properly to distinguish between them.

Every act of ours may be referred, at one and the same time, to the particular good of ourselves or our neighbours as individuals, to the common good of the family or the State, and to the transcendent common good of the whole universe, that is to say, to God Himself. Consequently, Education is at once a social and a religious activity by virtue of its nature and our own.

The State being the most perfect natural community which mankind can form in this world, it is of supreme importance to draw the distinction and define the relations of subordination between politics, which are ordered to the whole of the terrestrial State as to their proximate and specific end, and ethics which are ordered to the divine transcendent whole. The subordination of politics to ethics is absolute and even infinite, being based on the subordination of ends; for the good of the State is not God Himself and remains far, far inferior to the supreme beatitude of man. Christianity was needed to make clear the fact that the supreme good of human life is God Himself, and, further, that everything which is not God is annihilated before God—"quidquid Deus non est nihil est, et pro nihilo computari debet."<sup>3</sup> Although formally considered as part of the State, every act of Christ can be referred to the common good of the State; man, considered in the absolutely peculiar

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<sup>3</sup>The Imitation of Christ, iii,31.



and incommunicable quality of his liberty and as ordered directly to God as to his eternal end, himself enjoying therefore the dignity of a whole, under this formal aspect escapes inclusion in the political ordination: "*Homo non ordinatur ad communitatem politicam secundum se totum et secundum omnia sua.*"<sup>4</sup>

Each of us belongs to two states—a terrestrial State whose end is the common temporal good, and the universal State of the Church whose end is eternal life. It is at once apparent that these two distinct powers are not on the same plane. The terrestrial State being a moral whole owes duties to God as we have already seen. In its own sphere it is subject to the universal temporal sovereignty of Christ for Christ, as Man, received from God dominion "over the works of His hand" and "all things have been subjected under His feet" (St. Paul, Hebr. ii. 2) and it is from Him that kings and the heads of States and every human power derive their authority; the State, as such, is bound to observe His Law and the precepts of His morality. As a moral and religious agent, *it is, therefore, itself part of the Church*. "The Emperor is in the Church, not above it," said St. Ambrose.<sup>5</sup> The State, therefore, is indeed sovereign in its own domain, but its domain is subordinate, so that its sovereignty can be neither absolute nor universal. There is only one universal absolute sovereignty, the sovereignty of the Creator. The sovereignty of the Church, universal through the whole range of salvation, is clearly more extensive and elevated than that of the State. To distinguish between the temporal and the spiritual is simultaneously to affirm the subordination of the former to the latter. Do not the divine words which are the root of the distinction indicate also the subordination? Render, therefore, to Caesar the thing that are Caesar's and to God the things that are God's: were the things that are Caesar's not God's before they became Caesar's?

It would be as well, here, to elaborate on the fact that man's first duty is to God. We will consider this under the two-fold heading of the Supremacy of the Church and the Primacy of the Spiritual. Such a primacy presents itself to us under three different aspects which the doctrine of St. Thomas, better than any other after the Gospel and St. Paul, enables us to understand. By his general teaching concerning Christ and the Redemption, he shows us the supremacy of the Church in all its force. By his doctrine concerning Nature and Grace and the subordination of ends, he makes us understand the primacy of spiritual

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<sup>4</sup>St. Thomas Aquinas, *Summa Theologica*, ii-ii, 58, 5.

<sup>5</sup>St. Ambrose, *Serm. contra Auxent.*

over political ends, and of the universal domain of grace over all the particular divisions of nature. By his doctrine concerning human life and the virtues, he reveals the primacy of infused contemplation over the exterior activity of the mind. We must assert as a truth superior to every vicissitude of time the supremacy of the Church over the world and all earthly powers. If the universe is not to suffer a radical disorder and Education is not to become completely debased, the Church must lead the nations to the ultimate end of human life, which is also that of States, and must therefore, in virtue of the spiritual interests entrusted to her, direct governments and nations and bend before God the stiff necks of the powers of the flesh. On that condition only will they be stable: "For He does not take away mortal kingdoms Who gives the Kingdom of Heaven: He confirms them."<sup>6</sup> The Church is living authority. On the summit of humanity, we see in it the imprint of the face of Christ. If that authority is not obeyed by Christian nations, what authority will hold?

The spirit makes spontaneously for universality. There are two kinds of universalism, as there are two principalities of the spirit. One universalism seeks its principle of unity in man himself, considered as the rule and ultimate end, and therefore mingles all human diversities in a great confusion destined to efface national boundaries and to establish the universal State in which our nature will be self-sufficient, like the angelic nature. Now man is a material being: and as the object thus pursued on the material side, which divides, is an absolute self-sufficiency which even the angels lack, a deeper descent becomes obviously necessary down to the spirit itself which had resolved to be self-sufficient; utopian and humanitarian to begin with, in its preparatory phase of desire, the pursuit of such a unity of man regardless of Christ ends by becoming in its positive phase of realisation, the pretext for the imposition on man of an absolute violence and an anti-human tyranny. The other universalism seeks the unity of man from the Father of creatures; respecting every natural diversity, it raises above the nations the true universal State which is the Church and in which man, by supernatural grace, attains to the freedom of the sons of God. The two universalisms are implacably opposed to one another in irreconcilable antagonism. In one case man would make himself divine by his own energy, in the other he is made divine by the blood of the incarnate God. The former universalism is of the devil, homicidal from the very be-

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<sup>6</sup>Hymn, "Crudelis Herodes" in the Office of the Epiphany, quoted by Pius XI in the Encyclical "Quas Primas," 11th December, 1925.

ginning, head of the Church of evil—"Diabolus est caput omnium malorum."<sup>7</sup> The latter is of the Redeemer. Bolshevist imperialism, in its effort to expand throughout the world, would seem to proclaim the time when only the universalism of Antichrist and the universalism of Christ will be left facing each other here on earth. The latter, the true universalism, is called Christianity and is the reverse of the Bolshevist eclecticism. We can see how essential it is that our education is compassed by the Christian universalism.

The highest principle of all education is given in the words of Christ: "Seek, ye, first the kingdom of God and His justice and all these things will be added unto you." (Matt. vi. 33). The singular notion is sometimes entertained that education is like a man's apparel, an external adornment, whose fashion constitutes its value. Education is not only more than a man's apparel, it is even more than his skin: it belongs to the marrow of his being. It is the making of his character, and has to do with the immortal and most intimate part of man's nature—his soul. The Church has always understood this, wherefore she fully realises that *religion is education and education is religion* and that the natural fusion of the two in one makes a man to be what he ought to be, a completely balanced rational animal. Man is not for this life like the animal which dies: he has an immortal destiny, and this world is only the means to the end. He must consequently shape all his actions for the heavenly and everlasting kingdom of God. He must use the perishable and transitory things of earth to ensure his eternal happiness. Religion must enter his daily life and be the nerve and motive of his thoughts and deeds. He cannot divorce religion from anything which tends to cultivate his mind or ennoble his heart. Without religion, development of character is impossible. Education is essentially religious. Instruction is possible without religion, but education cannot be imparted without religion. Education is of the spiritual order. Education belongs to the Church which the Son of God established as the teacher of mankind when He commissioned His apostles: "Euntes docete omnes gentes—Going, therefore, teach ye, all nations." (Matt. xxviii, 18). Through this commission, the Church claims to be the bulwark and fountainhead of all Education. According to the Christian conception of justification the redemptive function of the Church does not consist only in bringing the Kingdom of God to man, but also in bringing man to the Kingdom of God that is, in educating his moral will, by preaching and discipline, for Christ and His grace, and in establishing him ever more and more

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<sup>7</sup>St. Thomas Aquinas, *Summa Theologica*, iii, 8, 7.



firmly in this grace. We have to consider beside the pastoral activity of the Church, her educative activity that is to say her earnest desire that "the tree planted by the running waters shall bring forth fruit in due season and that its leaf shall not fall off." (Ps. i. 3.)

Of primary importance for this educative task is the Church's claim to authority, to the special divine authority which she asserts in her preaching of the Word. The educative power of the Church lies secondly in the special emphasis laid in her preaching on the other world and on the supernatural that is on the eschatological element." We have not here a lasting city, but we seek one that is to come." (Hebr. xiii, 14). No truth of faith is so deeply impressed upon the Christian as this declaration: God made me to know, love and serve Him here on Earth and to enjoy Him for ever in Heaven. That is the Christian's deepest reality, the reality of the eternal God. In respect of that reality every other intellectual or natural fact is secondary and subordinate. Certainly he regards such things as real and valuable but he does not rest in them as in his last end.

The Church's claim to judge the educational system and to mould it to her desires rests upon two main foundations. Historically speaking, it was the Church which first established schools and universities from which Western education sprang. On another ground, since every educational system exercises a profound influence on the moral outlook of its subjects, the Church, which is the guardian of morals, must, from time to time assess the merits of these systems to see whether their influence is for good or ill. The Christian attitude to education cannot be understood without an understanding of the Christian attitude to life itself. A little has been said on this topic already. Two modern educationalists, with widely different outlooks—Friedrich Foerster, a Lutheran and Bertrand Russell, a sceptic—have both arrived, independently, at the same conclusion, namely, that in the last analysis all theories of education are dependent on the view taken of the dogma of Original Sin. The Christian view is that Original Sin is Adam's sin transferred with all its evil consequences to his posterity. Instead of being from the first moment of their existence sharers in his supernatural happiness and preternatural privileges his descendants have been made sharers of his sin and of its evil consequences.

In Adam's sin of disobedience, as in every grievous sin, there was a two-fold evil. There was the rebellion of the human will against the clearly expressed Will of God in a grave matter, and there was as a

consequence of this act the loss of Sanctifying Grace and of the right to enter Heaven. This loss of Divine Grace coincided with the act of rebellion, for it is impossible for the justified soul to reject God by the commission of a grievous sin without at the same time losing its supernatural likeness to Him. Adam's act of rebellion against the All High was something personal to him, something for which he alone was responsible; but included in this act of rebellion as the effect in its cause was that other evil, namely, the deprivation of Sanctifying Grace and of the right to enter Heaven; and it was this second evil which was handed down by Adam to his posterity. The Original Sin as committed by Adam and existing in the unregenerate soul is not sin in the real sense of the word, is not a deliberate act of the will, not something positive but rather something negative, a state of spiritual deprivation—the deprivation of the gift of grace and of the right to partake of the Beatific Vision of the Godhead.

Every child born into the world enters it, therefore, with Adam's inheritance, deprived of supernatural life. Through the redemptive merit of the Second Adam—Christ—every one of the descendants of Adam can be restored to its rightful heritage as a Child of God. The whole business of the Church is for this purpose, to give new life to all the sons of men, to keep it alive and growing, bringing forth fruits. So, too, the educational work of the Church is precisely for that purpose. Her whole educational aim is to restore the sons of Adam to their high position as children of God and citizens of the Kingdom of Heaven.

"Because every form of instruction, no less than every human action, has a necessary connection with man's last end, and, therefore, cannot be withdrawn from the dictates of the Divine Law of the Church...is necessarily involved in all education."<sup>8</sup>

It is apposite here to consider the following extract taken from the 1943 Norwood Report on this point: "We regarded it as the purpose of education," they wrote, "to help each individual to realise the full powers of his personality—body, mind and spirit—in and through active membership of a society." Superficially one might applaud that definition but the Norwood Committee were much more discerning, and they continue, as follows: "This description of the purpose of education did not wholly satisfy us. Human personality contains many possibilities; some are worthy to be developed, *some are not*; the task of education is to develop those which are worthy and good and to control those which

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<sup>8</sup>Pius XI, Encyclical: The Christian Education of Youth (A.C.T.S.), page 5.

are unworthy and base. We believe that education cannot stop short of recognising the ideals of truth and beauty and goodness as final and binding for all times and in all places, as *ultimate values*; we do not believe that these ideals are of temporary convenience only, as devices for holding together society till they can be dispensed with as knowledge grows and organisation becomes more scientific. Further, we hold that the recognition of such values implies, for many people at least, a religious interpretation of life which for us must mean the *Christian interpretation of life*. . . We agree wholeheartedly that scientific method and scientific planning can do much to help in the realisation of the 'good life,' and education which does not avail itself of such aid denies itself one means of the realisation of its ends. But our belief is that *Education from its own nature must be ultimately concerned with values which are independent of time or particular environment*, though realisable under changing forms in both, and therefore that no programmes of education which concern themselves only with *relative ends* and the immediate adaptation of the individual to existing surroundings can be acceptable."<sup>9</sup>

Here, then, is a body of expert educationalists saying that education is concerned with the ultimate end of man, and with fixed standards both intellectually and morally. When the Norwood Report says that human personality contains many possibilities, and that some are worthy to be developed and some are not, it implies exactly what I have suggested in regard to Original Sin.

The Norwood Report discusses at some length those phrases which one hears so often in educational circles: "the balance of the curriculum," "breadth of curriculum," and "an all-round curriculum"; and they say, quite rightly, that these phrases are misleading because they throw the emphasis in the wrong place. "If anything is to be integrated, it is not the curriculum that must be integrated, but the personality of the child; and this can be brought about, not by adjustment of subjects as such, but by the realisation of his purpose as a human being, which in turn can be brought about only by contact with minds conscious of a purpose for him. Only the teacher can make a unity of a child's education by promoting the unity of his personality in terms of purpose."<sup>10</sup>

The tenor of this Report indicates that the child is more important

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<sup>9</sup>Introduction, 1943, Report of the Norwood Committee.

<sup>10</sup>Norwood Report, page 6L.



than the curriculum and that the teacher is more important than the subject.

It is of relevance here to note the alternative to an education that is not religious. Walter Lippman, an American educationalist, argues that a system of education which is divorced from the cultural and religious traditions of the West and which is concentrating more and more on technical skills and specialisation is in danger of positively contributing to produce those conditions which will spell the destruction of our civilisation. "There is an enormous vacuum," he says, "where until a few decades ago there was the substance of education." And that vacuum has been filled with what he calls "the elective, the eclectic, the specialised, and accidental and incidental improvisations and spontaneous curiosities of teachers and students. THERE IS NO COMMON FAITH, NO COMMON BODY OF PRINCIPLE, NO COMMON BODY OF KNOWLEDGE, NO COMMON MORAL AND INTELLECTUAL DISCIPLINE." What better argument for the necessity as well as the desirability of a religious education could be found? It is in a Christian system of education that these problems can be resolved.

Education is essentially a social and not a more individual activity. Now, as we have seen, there are three necessary societies, distinct from one another, and yet harmoniously combined into which man is born: two—namely, the family and civil society, belong to the natural order; the third, the Church, to the supernatural order. In the first place comes the family, instituted for its peculiar purpose, namely, the generation and formation of children; for this reason it has priority of nature and, therefore, of rights over civil society. From the earliest days in Britain both the Common Law and Equity have recognised that children belong to their parents by reason of nature and nurture.<sup>11</sup> In the middle of the Eighteenth century Sir William Blackstone, in his *Commentaries on the Laws of England*, held that parents had three duties towards their children—maintenance, protection, and education, all indicated by natural law or reason.<sup>12</sup> Nevertheless, the family is an imperfect society, since it has not within itself all the means for its own complete development. Whereas, civil society is a perfect society, having within itself, all the means for its peculiar end which is the temporal well-being of the community; and so, in this respect, that is,

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<sup>11</sup>See, for example, Mr. Justice Danby in *Year Book 8 Edw. 4*, p. 7, Mich. pl. 2, who held that a stranger might not take possession of a child "by reason of nurture."

<sup>12</sup>Sir William Blackstone, *Commentaries on the Laws of England*, Book 1, ch. xvi.

in view of the common good, it has pre-eminence over the family, which finds its own suitable temporal perfection precisely in society of a civil nature.

The third society into which man is born, after Baptism, is the Church; a society of the supernatural order and of universal extent; a perfect society, because it has in itself all the means required for its own end, which is the salvation of mankind; hence it is supreme in its own domain. Consequently, education which is concerned with man as a whole, individually and socially, in the order of nature and in the order of grace, necessarily belongs to all these societies, in due proportion, corresponding to the co-ordination of their respective ends.

Education belongs pre-eminently to the Church by reason of the double title in the supernatural order conferred exclusively upon her by God Himself; absolutely superior, therefore, to any other title in the natural order. The first title is founded upon the express mission and supreme authority given her by her Founder: "All power is given to Me in heaven and in earth. Going therefore teach ye all nations. . . teaching them to observe all things whatsoever I have commanded you, and behold I am with you all days even to the consummation of the world." (Matt. xxviii, 18-20). The second title is the supernatural motherhood, by which the Church generates, nurtures and educates souls in the Divine life of grace. By necessary consequence the Church is independent of any sort of earthly power as well in the origin as in the exercise of her mission as educator.

It must never be forgotten that the object of education is the formation of the perfect man. For precisely this reason, education must include the whole aggregate of human life, physical and spiritual, intellectual and moral, individual, domestic and social, not with a view of reducing it in any way, but in order to elevate it, regulate it and perfect it.

"...since education consists essentially in preparing man for what he must be and for what he must do here below in order to attain the sublime end for which he was created, it is clear that there can be no true education which is not wholly directed to man's last end, and that in the present order of Providence, since God has revealed Himself to us in the Person of His Only Begotten Son, Who is alone the way, the truth and the life, there can be no ideally perfect education which is not Christian education."<sup>13</sup>

P. J. R. WATSON.

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<sup>13</sup>Pius XI, Encyclical: *The Christian Education of Youth* (A.C.T.S.), page 21.

# Moral Theology

## VALID ASSISTANCE AT MARRIAGE—PARISH OF BAPTISM.

Dear Rev. Sir,

1. A Catholic girl from parish X goes through the form of marriage in a registry office. She then moves to parish Y, where she still resides. The priest from parish X revalidates the marriage without any reference to the pastor of parish Y. Is the marriage valid?

2. If a mother brings a child to another parish for baptism, for no other reason than sentiment, should she be sent back to her own parish? Who has a right to the stole fee?

DUBIUS.

### REPLY.

1. It is assumed that any impediments to the marriage have been dispensed and that the sole objection to the validity of the contract is based on the competence of the priest from parish X, to assist at it. Unfortunately, we are not told where the revalidation took place, and on that precise point the answer to the query depends. If the parties returned to the parish of X, and were there married in the presence of the pastor of X, there can be no doubt that the marriage was valid, whatever about the lawfulness of the act of the pastor. On the other hand, if the pastor of X entered the parish of Y and assisted at a marriage without any reference to the parish priest of the place, the marriage is invalid; unless, indeed, the wandering pastor were delegated by the local Ordinary to revalidate the marriage contract at a place within the confines of the Diocese.

The parish priest and the local Ordinary validly assist at a marriage only within the limits of their territory: and in their territory they validly assist at all marriages—not only of their own subjects but also of those who are not their subjects. (can. 1095, par. 1, n. 2.) Further, the parish priest and the local Ordinary may give permission to another priest to assist validly at a marriage within the limits of their territory. (ib. par. 2.) There is no doubt that only the local pastor or the local Ordinary, or a priest authorised by either of them, can validly assist at a marriage. Even the proper pastor of the parties could not act validly, outside his own parish, without the authorisation of the *parochus loci*.



This has been the law since the promulgation of the "Ne Temere"<sup>1</sup> decree, which has been substantially incorporated into the Code. In places where the decree "Tametsi" of the Council of Trent<sup>2</sup> had been promulgated, a marriage was not valid without the presence of the parish priest of the parties or his delegate; but since 1908, the competence of the parish priest with regard to marriages is everywhere restricted to the boundaries of his parish.

Though the query concerns only the validity of the marriage, it is well to remark that a valid marriage is not always lawful; or, to be more accurate in the present context, valid assistance may be unlawful. A parish priest lawfully assists at a marriage, after making sure of the freedom of the parties, only when one at least of them is his subject by reason of domicile, or quasi-domicile or a month's residence, or, in the case of those who do not qualify under any of these heads, but are without any fixed residence (*vagi*), that they are actually staying in his parish. A parish priest, who enjoys no authority over either of the contracting parties because of one of these residential qualifications, must first obtain the permission of the pastor who has such authority.<sup>3</sup> Exception is made where grave necessity excuses from obtaining the usual permission, and in the case of passing travellers who are without any fixed abode. It may be noted, by the way, that the marriages of all *vagi*, that is those who have no domicile or quasi-domicile anywhere, are not to be celebrated, unless the matter has been first referred to the Ordinary (or a priest whom he has delegated) and permission obtained. (can. 1032.) Failure to observe the rules which require permission from the pastor of the contracting parties deprives the pastor who assists at the marriage of all right to the stole fees, even though he assisted validly.<sup>4</sup>

In the case submitted, let us suppose the assistance at the marriage was valid, the rite being performed in the parish of X. Though the bride was once the subject of the pastor of X, and apparently of no other pastor, it would seem that she has now left that parish definitely and has acquired a new parish priest, the pastor of Y, in whose territory she actually lives and intends to remain. Unless she is still a minor, under the age of twenty-one, and thus retains the legal domicile of her

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<sup>1</sup>D. 2067. This decree had the force of law from Easter Sunday, 19th April, 1908. Previous to that date, marriages in Australia were valid without the assistance of any priest.

<sup>2</sup>D. 990.

<sup>3</sup>Can. 1097, par. 1, nn. 1, 2 and 3.

<sup>4</sup>Can. 1097, par.3.

parents, the pastor of X had no claim to regard her as his subject, and should have obtained the permission of the pastor of Y, before proceeding to obtain the matrimonial consent from his one-time parishioner. Failure to seek and obtain this permission did not invalidate the marriage, but made the assistance of Fr. X unlawful, and left him without right to any fee which may have been given on the occasion. The fee must be returned to Father Y.

The following schema may help to clear up the question of valid and lawful assistance at marriages.

Pastor of	Parties	subjects of	Place of Marriage.	Nature of assistance.
1. X.	Father X.		Parish of X.	Valid and lawful.
2. X.	Father Y.		Parish of X.	Valid; but unlawful, unless with permission of Fr. Y.
3. X.	Father X.		Parish of Y.	Invalid.
4. X.	Father Y.		Parish of Y.	Invalid.

Cases 3 and 4 are invalid, because Father X can validly assist at no marriage outside the boundaries of his own parish, unless delegated for the purpose by the parish priest of the place or the local Ordinary.

2. A fuller discussion of the question of bringing children to be baptised to another parish for baptism will be found in the *A.C.R.*, January, 1954, pp. 50 et seqq. The Church's law on the matter is set down in can. 738, par. 2. Even a *peregrinus* (i.e., one who is actually outside his own parish) should be solemnly baptised by his own parish priest and in his own parish, if it can be done easily and without delay; otherwise he may be baptised by the pastor of the place where he happens to be. The correct procedure is for parents to bring their children to be baptised in their local parish church. It is more than likely that many of the faithful have no clear knowledge of this obligation. The priest who knew of their intentions to pass by their own pastor and thus violate his rights should explain the position to them, and indicate his unwillingness to baptise a child from another parish, unless there be some reason more serious than mere sentiment. But if he is confronted with the mother and child at the usual hour for baptisms, can he safely send them back to their own parish church? Even if he is sure they will not neglect to have the child baptised, serious inconveniences are likely to follow, not the least of them being the delay in having the sacrament administered. One may well ask if, in the circumstances, the child can be baptised in the proper church easily and without delay (*facile et sine mora*). We would hesitate to condemn

the priest who, after mentioning what the correct thing would have been, proceeded to confer the baptism. Of course, he would be bound to notify their parish priest that the child had been baptised (can. 778).

Who has a right to the fee? When the case was such that the priest who actually baptised the child had no reasonable choice in the matter, he was the lawful minister of the sacrament and the stole fees are his. If he were a co-operator in violating the rights of his confrere, one may argue from the analogy of the law forbidding assistance at the marriage of outsiders, without the requisite permission, that the fee should be returned to the pastor of the child. On the other hand, penalties are not to be extended from one case to another,<sup>5</sup> and the Code does not provide for the return of stole fees received on the occasion of baptisms unlawfully administered. At most, one may say that the right to the fee in question is doubtful, and apply the principle: *In dubio, melior est conditio possidentis*.

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#### CONDITIONS FOR RECTIFICATION AND *SANATIO* OF IRREGULAR MARRIAGES.

Dear Rev. Sir,

In a discussion among priests attention was called to the fact that the requisite condition about the Catholic upbringing of the children is different for a simple Rectification and for a *Sanatio* of irregular Marriages.

In the case of the former, the Holy Office in 1941 gave a decision than can. 1061, par. 1, is to be understood of the *children to be born* of such a marriage (A.C.R., Jan., 1944, pp. 58-59; Oct., 1952, pp. 338-339); whereas in the *Sanatio*, the local Ordinary's faculty (major) n. 24 is restricted to the extent that he must be morally certain that the non-catholic party will not hinder the catholic upbringing of all the children, both those already born or to be born of the union (A.C.R., Jan., 1931, p. 10; July, 1947, p. 234).

What is the precise reason why the ecclesiastical law differs in each case on the all-important question of the catholic up-bringing of the children, whereas the divine law is the same in one case as in the other? It seems that the ecclesiastical law is more lenient in the matter of simple Rectification than in the case of a *Sanatio*.

QUAERENS.

#### REPLY.

The faculty of granting a *Sanatio in radice* for a mixed marriage at

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<sup>5</sup>Can. 2219, par. 3.



present enjoyed by the Ordinaries of Australia reads as follows:

24. Sanandi pariter in radice matrimonia mixta attentata coram magistratu civili vel ministro acatholico, dummodo moraliter certum sit partem acatholicam universae prolis nasciturae catholicam educationem non esse impedituram.

In the *Formula secunda* which was granted in 1920, and again in that of 1930, the faculty concerning a *Sanatio* for a mixed marriage read simply:

Sanandi pariter in radice matrimonia mixta attentata coram magistratu civili vel ministro acatholico.

A letter sent to the Ordinaries from the S. Congregation of Propaganda, dated 2 July, 1930 (and referred to by our correspondent as appearing in the *A.C.R.*, Jan., 1931, p. 10), drew attention to a restrictive clause regarding the application of a *Sanatio* to a mixed marriage. No *Sanatio in radice* could be lawfully granted, the letter stated, unless it were morally certain that the non-catholic party would not prevent the catholic education of any children, whether born or yet to be born.

This restriction was incorporated in the *Formula maior*, sent to the Ordinaries in 1941, by the following clause which was added to the previous faculty:

dummodo moraliter certum sit partem acatholicam universae prolis tam natae quam nasciturae non esse impedituram.

Though the majority of commentators held that the *cautiones* demanded by can. 1061 before a dispensation is granted for a mixed marriage, referred not only to the children who may subsequently be born, but to those already born of the union, the Holy Office (10th December, 1941), in answer to a query, replied that they embraced only the children not yet born. At the same time the 'mind' of the Holy Office was expressed: Although *per se*, according to the rule of the aforesaid canon, the *cautiones* are not demanded with regard to children born before the marriage is celebrated, the parties are to be distinctly warned that they are bound by a grave obligation of the divine law to see (*curandi*) for the catholic education of any children that may have been born previously.

The Formula issued in 1950 is in accordance with this decision of the Holy Office. Just as in a mixed marriage, the *cautiones* cover only possible future children, so in a *Sanatio* the moral certainty of catholic upbringing must be verified with regard to children who may be subsequently born (i.e., of a union sanctioned by the Church). The divine law of doing all that is possible to confer the same benefit of a catholic education on children who may have already come from the hitherto unlawful union of the parties, necessarily remains unchanged and unchangeable. The Church will not allow her children to contract a

marriage unless there is moral certainty that the fruits of it will be brought up in the true faith, and not educated in heresy or reared without any religion. Simple revalidation is a true marriage contract governed by the same rules as other marriages; and so the guarantees are demanded as a means of arriving at the required certainty concerning the education of the children who may be born of the union entered into with the approval of the Church. A *Sanatio in radice* is an extraordinary measure adopted when renewal of consent is impracticable. To ask for the *cautiones* would only complicate matters further, and so the Church has to be content with moral certainty arrived at by other means that the non-catholic party will not interfere with the catholic up-bringing of the future children, in the presumption that the Catholic will faithfully attend to that duty. With regard to children who may have been already born to the couple, stress is laid on the obligation of the divine law incumbent on the Catholic spouse to give these also the benefit of the true religion. A solemn admonition on this matter is to be given; but the regrettable fact may have to be faced that nothing more than a sincere and honest effort can sometimes be expected. With an undertaking of this nature, the Church will sanction the rectification of the marriage, normally by granting a dispensation from the impediment of *mixta religio* or *disparitas cultus* under the usual conditions, and the formal renewal of consent; in extraordinary circumstances by a *Sanatio in radice*. In either case, the divine law and the positive ecclesiastical law apply, each in its own sphere, with equal partiality.

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MISSA PRO POPULO ON EASTER VIGIL.

Dear Rev. Sir,

A priest who celebrates the Vigil Mass at Easter after midnight is permitted to celebrate again on Easter Day, and even twice or three times, if he has the necessary indult. It would seem, then, that the Vigil Mass is to be considered as belonging to Saturday, though it is actually celebrated on Sunday. Could a parish priest apply the Vigil Mass *pro populo* and thus satisfy his obligation for Easter Sunday in this matter? If he did so, could he accept a stipend for one of his Masses on the Sunday morning (or afternoon)?

REPLY.

There seems no reason why the Mass after midnight on the Vigil of Easter could not be applied to satisfy the obligation of celebrating *pro populo* on Easter Sunday. Actually, the Vigil Mass is an Easter Mass and belongs to Sunday rather than Saturday, which is a

*dies a-liturgicus*. Whatever about the liturgical question, the Mass is said after midnight and so within the canonical day, which runs from midnight to midnight. The faithful who assist at the Vigil Mass after midnight are not bound to attend Mass again on Sunday, and likewise, those who go to Communion after midnight may not receive again in the morning (or evening). For the purpose of fulfilling an obligation or discharging a duty attached to Sunday, any suitable time may be chosen between the midnight of Saturday and that of Sunday. A priest who says several Masses on Easter may apply any one of them he wishes for the people, and fulfil his parochial obligation. Neither the midnight Mass nor an evening Mass is excluded.

As the law stands, a priest could not accept a stipend for any of the Masses on Easter day, if he had offered the midnight Mass *pro populo*. Can. 824, par. 2, forbids a priest, who has applied Mass *ex titulo iustitiae*, to accept a stipend for another Mass, except on Christmas Day. Each of the three ritual Masses at Christmas may be applied to satisfy an obligation in justice. It is not our province to predict whether the same norm may eventually be applicable to two ritual Masses at Easter.

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#### PROBLEMS OF COMMUNICATIO IN SACRIS—FREQUENT HOLY COMMUNION—A CASE OF LAY BAPTISM.

Dear Rev. Sir,

1. Is it permissible for non-Catholics to sing solos in the Catholic Church at a wedding, a) of two Catholics, b) at a mixed marriage? Woywod, commenting on canon 1258 mentions an Instruction of the Holy Office, June 22, 1859, which forbids such. Does this Instruction apply in Australia?

2. Is it necessary to consult the Ordinary in order to allow non-Catholics to act as witnesses at a marriage in the Catholic Church?

3. If a Catholic seeks permission to act as bridesmaid at a non-Catholic Church, may the assistant priest refuse permission, or must he refer the matter to the Ordinary?

4. May Holy Communion be taken daily to an old and incapacitated person who lives near the church, or is a patient in a hospital some distance from the church? Would the case be the same if the aged person were a priest or religious?

5. A girl who has just left school, having in mind that unbaptised persons cannot go to heaven, easily persuades her father, who is a non-Catholic, to allow her to baptise him so that he "could go to heaven."



The father was not in any danger of death and is still a non-Catholic though he says his prayers daily and observes many Catholic practices, even going to Mass readily when he is not in his home town. The girl now asks what is the position with regard to her father.

FRANCISCUS.

### REPLY.

1. The Instruction of the Holy Office<sup>6</sup> dealt with the question of heretics joining in worship with Catholics; and as it is merely an application of the principles of theology applies everywhere. It declares it unlawful to invite heretics to the choir, to sing the psalms alternately with them, to give them the 'pax' or to distribute to them blessed ashes, candles and palms. These and all such acts of external worship which rightly are interpreted as expressing the bond of spiritual unity are forbidden. Woywod quotes this Instruction to the effect that non-Catholics may not sing in the choir at Catholic services.<sup>7</sup> The conclusion is justified, though by the phrase of the Instruction 'to invite them to the choir' (*in chorum invitare*) we may better understand giving them a place in the *presbyterium* or the portion of the sanctuary reserved for the clergy and the liturgical singers. The marriage ceremony of the Ritual does not require any liturgical chant, and singing on the occasion would be purely optional, to give solemnity to the wedding. This remark is born out by the fact that our correspondent is concerned with solos, which do not feature in liturgical music. The singer would presumably be in a gallery at the end of the Church and not on the sanctuary, and the solo would be rendered before or after the marriage ceremony. We doubt if the Instruction of the Holy Office extends to such a performance, and are of opinion that the matter is one for the local Ordinary to decide, having regard for local customs and the effect of his prohibition or permission on the faith and piety of the people.

2. The general rule is that non-Catholics are not permitted to have an active part in Catholic religious ceremonies, though they may be present at them.<sup>8</sup> With regard to acting as witness at a marriage, there is a direction of the Holy Office: "Heretics may not be allowed as witnesses (to a marriage) but their presence may be tolerated by the

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<sup>6</sup>22nd June, 1859. *Collectanea Prop. Fidei*, vol. 1, n. 1176. The Instruction includes the following sentence: *Illicitum est ergo in sacris functionibus hereticos in chorum invitare, alternis psallere, dare eis pacem, sacros cineres, candelas et palmas benedictas aliaque id genus externi cultus quae interioris vinculi et consensionis iure meritoque existimantur.*

<sup>7</sup>A Practical Commentary of the Code of Canon Law, vol. II, p. 60.

<sup>8</sup>Cf. *A.C.R.*, Jan., 1956, p. 46.

Ordinary, if there be no scandal.”<sup>9</sup> Unless the pastor has good reason to believe that the Ordinary habitually tolerates the practice in his Diocese, his permission should be obtained if the case occurs. If the matter be one of urgency, we think permission could be reasonably presumed.

3. As the position of bridesmaid at a wedding in a non-Catholic Church seems to be one of active participation in non-Catholic religious service, we do not see how the Ordinary could give such a permission. Consequently, it would be in order for the assistant priest to reply that the request could not be granted.<sup>10</sup>

4. The circumstance of distance from the church would seem to affect the priest who brings Communion rather than the recipient or his capacity to receive It. What might be quite practicable as a daily attention in favour of one who lives close to the church could be inconvenient, if not impossible, when some distance had to be travelled to bring Communion to a sick person.

If the aged and incapacitated retain the use of their rational faculties, at least to the extent that they still understand what the Blessed Eucharist is, they are fit subjects for Communion, which must be given them as often as they reasonably ask for It. Whether they are to receive daily will depend on the opportunities at the disposal of the priest who can bring them Holy Communion. It would surely be fitting to make an extra effort in the case of a fellow priest, now deprived of the consolation of his daily Mass, and for a religious who can no longer take part in the exercises of his or her community.

The difficulty might arise that the aged person has been affected in mind with the passing of years. There can scarcely be any doubt that a pious Catholic and *a fortiori* a priest or a religious would have the habitual intention to receive the Eucharist as often as possible; and we could be reasonably sure of their disposition of soul. The Sacrament would be received both validly and fruitfully. Where there is danger of irreverence, v.g., because the patient may not swallow the sacred Host, Communion should not be given at all. Neither should those who cannot be made understand that they are about to receive the consecrated Bread be allowed to receive Communion, except perhaps in danger of death. Weakening mental powers and failure to know what was being done, with normal comprehension, would be a reason

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<sup>9</sup>Holy Office, 19th August, 1891. *Fontes Codicis* IV, 1044.

<sup>10</sup>A fuller treatment of this question may be found in *A.C.R.*, Jan., 1956, pp. 36 seqq.

to lessen the frequency of Communion, as the definite desire of It is wanting. Persons reduced to such a state should be given Communion at Easter and occasionally at other times. How often this should be done will depend largely on the condition of their minds, according to the judgment of the priest and those who care for them. However, the priest need not be anxious that he is too frequent in attending to them, for, as already remarked, there is no doubt about the validity of the Sacrament and its fruitful reception. The only obstacle would be lack of due reverence; and as long as the patient shows the usual signs of devotion there is no reason why he should not receive Communion frequently. For a priest or religious frequent Communion is daily Communion.

To answer the question briefly: Holy Communion *may* be taken to an old and incapacitated person who enjoys the normal use of his mental faculties. If he asks for It, and the priest can reasonably comply with the request, It *should* be given him daily. To one who is 'childish,' but knows how to distinguish the sacred Host from ordinary bread, and receives with becoming reverence, Communion may be given frequently and even daily, especially in the case of a priest or religious. Those who are senile to the extent that they have lost all appreciation of what goes on, may receive the Viaticum in danger of death, if there is no reason to fear irreverence to the Blessed Sacrament.

5. It would seem that the girl, who baptised her non-Catholic father, intended to administer the sacrament and knew how to apply the matter and form correctly. If this were the only consideration, the baptism would be valid. An adult cannot be baptised against his will, and further he must have some positive intention of receiving the sacrament. An habitual intention would be sufficient, even though it were merely implicit, or contained in the desire to become a Christian. The non-Catholic father had an actual and explicit desire to submit to a rite which would enable him to go to heaven; but it is not clear that he had any knowledge or intention of becoming a member of the Church. Baptism, either in fact or desire, is necessary for salvation; and baptism gives a right to heaven, but only as a member of Christ's Church. The immediate effect of baptism is to make the one who receives it a member of the Body of Christ, which is his Church. By mystical incorporation with Christ, we become heirs to the Kingdom of Heaven. If the means necessary to obtain a definite end are not included, the end itself becomes impossible, and any desire for it remains inefficacious. The person who

would receive baptism merely in order to go to Heaven, but did not also, at least implicitly, wish to become a member of Christ's Church, would not have the necessary intention of baptism. From the fact that the girl's father is still a non-Catholic, it is a fair conclusion that he does not regard his spiritual or religious status any different from what it was before he submitted to the rite of baptism. His recitation of daily prayers and occasional attendance at Mass could be interpreted as a sign of serious inclination to embrace the full Christian life, but they do not necessarily argue the acknowledgment of an obligation which arises from his baptism. Whether he did in fact undertake the obligations consequent on baptism can only be known by his own declaration. As the case is presented, the baptism is at least doubtful, and should the man on some future occasion wish to be admitted to the Sacraments he should be baptised conditionally.

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#### PRESENCE AT NON-CATHOLIC WEDDINGS.

NOTE: The following case was discussed at a recent Conference of the Clergy of the Archdiocese of Sydney. Though the question has been dealt with in several past issues of the *Record*, and in particular in that of January, 1956, it is treated here from a pastoral rather than a theoretical viewpoint. This consideration and requests from subscribers are the reasons for its present reappearance.

Mary and Helen have been friends from childhood. Mary is a practical Catholic; Helen professes allegiance to the Church of England, but has no more than a vague idea of any religious teaching. Helen is soon to be married to a young man of the same religious beliefs as herself, in the local Anglican church. She is not offended when Mary refuses a request to be her bridesmaid, but cannot understand why she hesitates to go to the church to see the wedding and afterwards join in the family celebrations customary on such occasions. In her perplexity, Mary interviews one of the older Sisters at the convent, who tells her to have nothing to do with Protestants and their weddings. Not satisfied, she approaches the parish priest, who promises to put the matter before the Bishop, who may possibly give the needed permission. As this would mean considerable delay, she asks another priest who replies that there is no need to worry the Bishop about such questions, she can go to the wedding in the Anglican Church, and had she seen him sooner, he would have quietened her conscience about being bridesmaid for people, who, after all, regard marriage as merely a civil ceremony.

1. What are the principles which govern participation of Catholics in non-Catholic religious ceremonial?



2. What judgment must be passed on the decisions of the old Nun, the Parish Priest, and the other priest?

REPLY.

1. The theological principles in question are summarised rather plainly in the Code of Canon Law, Canon 1258.<sup>1</sup>

1. It is unlawful for the faithful *actively* to assist in any way, or to take part in the sacred worship of non-Catholics.

2. *Passive* or *merely material* presence, for the sake of civil esteem, duty or respect, for a grave reason, which in case of doubt should have the approval of the Bishop, may be tolerated at funerals, weddings and other such celebrations of non-Catholics, provided there be no danger of perversion or scandal.

A person may assist at a religious function actively or passively.

Active assistance at any non-Catholic religious functions is forbidden always. It means taking a positive part (*partem habere*) in the religious rite, v.g., answering the prayers, singing the hymns, reading a Lesson, attending the minister, being a sponsor at baptism. Such assistance necessarily implies at least external approval of the rite and of the ministerial status of the man who performs it. It is true that many of the non-Catholic religious rites are consistent with orthodoxy: their Baptisms are valid, their marriages are sacramental unions (other things being equal), the psalms they recite are the inspired word of God, etc. What makes it always unlawful for a Catholic to take active part in these is the necessary and implicit recognition of the claim of the heretical minister to be the approved representative of God and His Church before the people, or, in other words, the tacit acceptance of his unwarranted assumption of sacerdotal power and authority. In many other cases, the non-Catholic religious rite is itself nothing more than an expression of heresy. We need not go beyond the Communion Service in search of an example, for what is it but a denial of the sacrificial character of the Mass? The funeral service is also, by deliberate omission, a repudiation of the efficacy of suffrages for the departed and of the Catholic doctrine of Purgatory. To recognise as legitimate such attempts to give to God the honour which is his due, is to admit the heresy on which the religious rite is based and to incur at least the

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<sup>1</sup>Can. 1258. Haud licitum est fidelibus quovis modo active assistere seu partem habere in sacris acatholicorum.

Tolerari potest praesentia passiva seu mere materialis, civilis officii vel honoris causa, ob gravem rationem ab Episcopo in casu dubii probandam, in acatholicorum funeribus nuptiis similibusque solemniis, dummodo perversionis et scandalii periculum absit.

suspicion of heresy. Prescinding from the question of scandal or the danger of perversion, active participation in any non-Catholic religious ceremony is a violation of the divine law. We are never justified in denying, even externally, the truths of our Faith. Active participation in heretical worship is always a denial of the Catholic doctrine of sacerdotal mediation, and frequently enough it is also an implicit rejection of some other revealed truth. So it is sternly forbidden: *Haud licitum est*.

2. Passive or merely material presence is another matter. Passive assistance is being present with a knowledge of what is taking place, but without any positive contribution to the religious rite. It would exclude any action that could be considered as sharing in the worship performed, recital of or joining in prayers, etc.; but would not prevent the observance of the ordinary rules of good manners, v.g., by adopting an attitude of respectful silence. Such presence is material when there is no intention of approving of the religious rite. As a rule, people do not go to any function, religious or civil, if they disapprove of it; and their very presence will usually be a sound reason to conclude their agreement with the gathering and what it stands for. How, then, can such assistance be merely material? Rules have exceptions. There may be cases when we are present at a function, simply because we cannot decently stay away without risk of unpleasant consequences, v.g., offending our friends or giving rise to unfortunate misunderstandings, or even seeming to be wanting in our public duty to the community. When it is a question of attending passively a non-Catholic religious rite, this reason should be so obvious that no unbiased person could deduce from the presence of a Catholic that he had changed his religious allegiance, or subscribed to the opinion that all religions were more or less the same and all equally good, or in other words, that his presence meant approval of the religious rite. There *are* some religious functions, where in common opinion, a certain civil association can more easily be understood. These are, above all, weddings and funerals. The desire to show esteem and respect to the bridal couple, or to honour the memory of the deceased can be so manifest that it appears as the only reason which prompts a Catholic to attend the marriage ceremony or the funeral rites. When these circumstances are verified, and there is good cause to show such respect, the Church tolerates passive or merely material presence at such celebrations of non-Catholic, provided there is no danger of perversion or scandal. The danger of perversion from attendance at a very occasional wedding or funeral would not be easily admitted, when the Catholic is well instructed and faithful to his or her religious duties.

Scandal means giving an opportunity to another to commit sin because of some act which is not altogether correct: it must not be confused with the popular acceptance of the term, in the sense of wonderment. Scandal could be caused by attendance at non-Catholic functions if the less instructed would conclude that Catholics may attend them indiscriminately, and that all forms of so-called religious worship are equally good. Whether such danger of scandal exists in a community such as ours, at least in big Cities where the actions of individuals are not subject to such close scrutiny by their neighbours, is a question that can best be decided by competent authority, the Ordinary or even the Parish Priest in particular cases. It would seem, generally speaking, to be a danger that can be exaggerated. When the case arises of a Catholic wishing to attend some non-Catholic religious function, especially a wedding or funeral, and there is a clear-cut, grave reason which makes it difficult to stay away, the Catholic may be passively present at these celebrations. His presence is tolerated by the law itself and he requires no permission to attend. If the reason is doubtful, v.g., he is not sure that offence would be taken or other difficulties would arise if he did not attend (likewise if there is probable danger of scandal), the matter should be referred to the Bishop who is competent to give a decision which the faithful may and should follow conscientiously. It is not altogether accurate to speak of the Bishop as giving permission—that is given by the law. The Bishop decides the sufficiency of the reasons in a doubtful case.

When there is no real reason—curiosity or slight acquaintance with the non-Catholic concerned would not be sufficient—Catholics are not allowed to attend non-Catholic religious services of any kind whatsoever.

We may sum up by saying that passive assistance at some non-Catholic religious functions is tolerated, under definite conditions. First, it must be material assistance, accompanied by no internal act approving of the lawfulness of the religious rite. Then, the purpose of the presence of the faithful at the functions must be plainly non-religious: the fulfilling of a civil duty, or for the sake of showing civil honour or respect. Thirdly, there must be a grave reason in the particular case which makes it necessary for civil honour to be given precisely by attendance at non-Catholic worship. In case of doubt, the decision as to the gravity of the reason is to be left to the Bishop. Not all non-Catholic religious functions are included in this toleration, but only funerals, weddings and such like solemnities where the matter of

civil duty or respect may become more easily a source of anxiety or an occasion of offence to non-Catholic friends or fellow-citizens.

2. What about the advice given Mary by the old Sister, the Parish Priest, and the other Priest?

a) The religious Sister was altogether too sweeping in her condemnation. Surely there could be no harm in joining the family festivities which accompany the wedding. The couple violated no law of the Church in being married before an Anglican minister, as only those baptised in the Catholic Church are bound by the obligation to contract marriage in the presence of the Parish Priest (or his delegate) and two witnesses. As regards Mary's going to the Anglican Church to see her friend being married, the old Nun would have been more prudent to refuse to advise on such a point, but to refer the young lady to the parish priest. At least, it can be said in her favour that she erred on the right side and no harm could follow from her advice.

b) The Parish Priest, as the one charged with the care of Mary's spiritual welfare, could have explained the law to her; and, in the circumstances, told her she could comply with the invitation of a life-long friend and go to the Church merely as a spectator, i.e., as a passive and material assistant at her friend's wedding. Her attendance is only a mark of friendship and in no way an approval of a protestant church or its doctrines or parsons. The reason is that her absence would require many explanations which would not be understood and would be the occasion of the probable loss of a valued friend. It was not really necessary to have recourse to the Bishop, unless he had doubts about the objective value of the reasons alleged by Mary.

c) The other priest was too indulgent. If he knew that the Parish Priest had the matter in hand, he could, in decency, have abstained from giving advice. To sanction Mary's presence as bridesmaid seems to permit active assistance at a religious rite in a non-Catholic Church. The witness is required, at least by recognised custom, for the proper performance of the wedding, and her presence as a witness would seem to admit the official religious status of the minister. The opinions of the parties on the nature of the matrimonial contract and the absolute need of a religious service do not affect the question. The fact is they did seek the aid of a minister of an heretical sect to solemnise their marriage, and his intervention, *qua sacris addictus*, makes the ceremony a religious one. Further, if the case occurred in the Archdiocese of Sydney, the priest would be advised to read one of the Statutes of the



Diocesan Synod (n. 24.(d) ) which runs: "The faithful are forbidden to act as witnesses at non-Catholic marriages."

To take an active part in non-Catholic services is always unlawful. The witnesses to a marriage are commonly considered to be taking an active part therein. A Church wedding is a religious service. Therefore, Catholics are not allowed to be witnesses on such an occasion.

To be a spectator at a non-Catholic religious service is generally forbidden. When there is a grave reason, their presence as spectators may be tolerated in the case of weddings, funerals, etc., for Catholics who wish to show merely civil respect or esteem. When the reason is clear, v.g., in the case of converts attending the wedding of a non-Catholic relative, or of old friends, or neighbours, workmates, etc., at a funeral, the priest consulted may answer that they may go. If he is in doubt let him refer the matter to the Bishop. Where there is evidently no reason, he should say they may not go. But let him be sure of his ground before he restricts their liberty.

JAMES MADDEN.

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### SHORT NOTICE.

THE REVOLT OF ASIA, by Christopher Dawson. Sheed & Ward, London and New York. 1957. 48 pp. Price, 3/6 sterling.

This booklet consists of reprints of two articles from the *Tablet*: "The problem of Oriental Nationalism" and "Christianity and the Oriental Cultures." In the first, this well-known author examines the nature of Nationalism, shows its dangers, and makes the point that it is the product of Western influence—for it has been fostered by young intellectuals who have been educated in European countries—yet it is universally anti-Western in its sentiment. Oriental culture is something much older than nationalism, and the second article deals with the problem of the assimilation of the great Eastern cultures—notably those of China, India, and of the countries of the Moslem world—into the framework of Christianity. The suggestion is made that perhaps through the middle classes of the great cities of the East the work of conversion may prosper best. This booklet is recommended for its valuable overall picture of the East to-day, and for the spirit of Christian hope and trust in which it is written.

F.A.M.

# Canon Law

## THE MULTIPLICATION OF IRREGULARITIES TO SACRED ORDINATION.

In general it may be said that the authors, both before and after the Code, devote comparatively little space to the treatment of the question of the multiplication of irregularities to Sacred Ordination. The attitude of those commentators on the Code who do give reasonable consideration to this question—and possibly it is the reason why so many others after the Code do not unduly concern themselves with the matter—seems to be that the ruling of the Code is for the most part clear, although some doubts may arise in practice.<sup>1</sup>

In Canon 989 the Code sets down the general principle which determines and regulates the multiplication of canonical irregularities. This Canon states: "Irregularities and impediments are multiplied in so far as they arise from different causes; and the repetition of the same cause does not produce multiplication except in the case of voluntary homicide."<sup>2</sup> The various causes, therefore, are the determining factors in the multiplication of irregularities. These juridical causes are the proximate causes of the irregularities, i.e., those defects or crimes from which the irregularities immediately arise. The Code states the general rule without making any explicit distinctions as such, but in explaining the rule certain distinctions will be found to be useful.

These causes may be said to differ generically, specifically, and numerically.<sup>3</sup> Generic diversity is that which exists between the irregularities belonging to the two different categories as such, namely, irregularities from defect and irregularities from crime. Specific diversity is that which exists between the different causes which are contained within each of these two categories. Numerical diversity is that which exists between those acts which are merely repetitions of the same specific cause.

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<sup>1</sup>Cfr. Woywod, S., *A Practical Commentary on the Code of Canon Law*, 2 Vols., Revised Ed., New York, 1948, Vol. I, n. 952; Coronata, M. (A), *Institutiones Iuris Canonici, Tractatus Canonici de Sacramentis*, Vol. II, *De Ordine*, Ed. 2, Taurini, 1948, n. 158, p. 202, footnote 2, who also appears to offer a gentle complaint about the sparse treatment of this question.

<sup>2</sup>Canon 989: "Irregularitates et impedimenta multiplicantur ex diversis eorundem causis, non autem ex repetitione eiusdem causae, nisi agatur de irregularitate ex homicidio voluntario."

<sup>3</sup>Cfr. Augustine, C., *A Commentary on the New Code of Canon Law*, Vol. IV, Ed. 3, St. Louis, 1925, p. 503; Coronata, op. cit., n. 158.

Generic difference between irregularities always produces multiplication; e.g., the difference between the irregularity arising from illegitimacy (*ex defectu*) and the irregularity arising from the abuse of a major order not received (*ex delicto*). Specific diversity also produces multiplication; e.g., the difference between the irregularity arising from voluntary homicide (*ex delicto*) and the irregularity arising from the prohibited exercise of a major order (*ex delicto*). This is in complete conformity with the teaching of those pre-Code canonists who treated of this matter, even though they did not make the explicit distinctions which have been given above.<sup>4</sup>

Numerical diversity, according to the rule of canon 989, does not produce multiplication of irregularities except in the case of voluntary homicide. For example, a priest who, while under suspension, celebrates Mass, incurs the irregularity arising from the abuse of Sacred Orders; and, if he celebrates Mass on several occasions, he still incurs only one irregularity. By stating explicitly in canon 989 that numerical multiplication of the same cause does not multiply irregularities, the legislator has removed the cause of a dispute which existed before the Code. In that period a difference of opinion existed as to whether the repeated commission of the same crime multiplied irregularities from crime. Thus Lega argued that, since an irregularity from crime resulted from the commission of a certain definite crime, it followed that whenever the cause (the crime) was placed, the effect (the irregularity) should always follow; and, therefore, that as often as the same crime was committed the irregularity was incurred. This was the same as stating that numerical multiplication of the same cause produced the multiplication of irregularities from crime.<sup>5</sup>

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<sup>4</sup>Cfr. Suarez, F., *De Censuris*, disp. XXXIII, sect. III, n. 12; Avila, Stephanus (De), *Tractatus de Censuris Ecclesiasticis*, Lugduni, 1623, Pars. VII, disp. X, dub. ult.; Bonacina, M., *Opera Omnia*, Tom. I, *Tractatus de Censuris Aliisque Poenis Ecclesiasticis*, Lugduni, 1741, disp. VII, qu. V, punct. ult., n. 4; Tamburinus, T., *Theologia Moralis*, Tom. II, Venetiis, 1755, Lib. X, Tr. IV, cap. XIV, sect. III, n. I; Viva, D., *Cursus Theologico-Moralis*, Tom. IV, Pars. VIII, *De Censuris*, Ferrariae, 1757, qu. VIII, art. V, n. 13; Boenninghausen, E., *Tractatus Juridico-Canonicus de Irregularitatibus*, Fascic. I, Monasterii, 1863, P. 57; Gasparri, P., *Tractatus Canonicus de Sacra Ordinatione*, Vol. I, Parisiis, 1893, n. 197.

<sup>5</sup>Lega, M., *Praelectiones in Textum Juris Canonici, De Delictis et Poenis*, ed. 2, Romae, 1910, n. 240. Suarez also seemed to have this opinion in mind; op. cit., disp. XL, sect. III, n. 5. Boenninghausen, although he conceded probability to the opinion which denied that repetition of the same acts multiplied irregularities from crime, seemed also to incline to this opinion, and stated that in practice the number of times that the act had been performed should be mentioned whenever application was made for a dispensation; op. cit., fascic. I, pp. 57-58.

Other pre-Code authors, however, at least when treating of this matter in particular cases, committed themselves to the general doctrine that irregularities from crime were not multiplied by the simple repetition of acts.<sup>6</sup> There was also a third opinion which was based upon a distinction. According to this opinion the simple repetition of the same cause in the same subject or agent did not multiply the irregularity, as in the case of a suspended priest who, by celebrating Mass several times, would incur only one irregularity; but the repetition of the same cause by the same agent in different objects did multiply the irregularity; for example, a person who rebaptized ten other people incurred ten irregularities.<sup>7</sup>

There is no longer any place for such a controversy because the ruling of the legislator in canon 989 is explicit and clear; and no distinction is made between irregularities from defect and irregularities from crime.

However, canon 989 explicitly mentions one exception to the general rule that mere numerical multiplication of the same cause does not produce multiplication of the irregularity, and it is the irregularity arising from voluntary homicide. Thus, the legislator gives the positive ruling that each act of voluntary homicide constitutes a distinct irregularity. There are some canonists who maintain that this ruling applies also to the irregularity which arises from effective abortion which is joined with voluntary homicide in canon 985, 4.<sup>8</sup>

But the combined consideration of canons 985, 989 and 990 seems to confirm the contrary opinion. In canon 985, 4, these two irregularities are expressly distinguished and mentioned together; in canon 990, I, the legislator includes both of them by referring to canon 985, 4; and in canon 989 he mentions only voluntary homicide when, if he had wished to include effective abortion, he could easily have done so either by mentioning it by name as in canon 985, 4, or by adopting the method of reference used in canon 990, I; and especially since he had distinguished between them, thus indicating that one was not contained

<sup>6</sup>Cfr. Avila, *op. cit.*, Pars VII, disp. X, dub. ult.; St. Alphonsus, *Theologia Moralis*, Tom. IV, ed. Nova (by Leonardus Gaude, C.S.S.R.), Lib. VII, cap. V, nn. 359, 353, note 2; Tamburinus, *op. cit.*, Lib. X, Tr. IV, cap. XIV, sect. III, n. II; Viva, *op. cit.*, Pars. VIII, qu. VIII, art. V, n. 13.

<sup>7</sup>Cfr. Gasparri, *op. cit.*, n. 197; Sexten, Hilarius (A), *Tractatus de Censuris Ecclesiasticis cum Appendice de Irregularitate*, Moguntiae, 1898, p. 281; D'Annibale, J., *Summula Theologiae Moralis*, Vol. I, ed. 5, Romae, 1908, n. 405.

<sup>8</sup>Cfr. Hickey, J., *Irregularities and Simple Impediments in the New Code of Canon Law*, Washington, 1920, p. 85; Woywod, *op. cit.*, Vol. I, n. 952.



in the other.<sup>9</sup> Regatillo adds the reason that the laws concerning irregularities, since they restrict the free exercise of rights, are to be strictly interpreted.<sup>10</sup> Therefore, abortion should be included in the general ruling of canon 989, and should not be regarded as an exception to this ruling.

Having now treated of the question of the multiplication of irregularities in a general way, it will be of interest to make a practical application of the general teaching to a particular irregularity. The irregularity arising from the abuse of Sacred Orders will serve this purpose well, especially since the question of multiplication in its application to this irregularity presents some unusual aspects.

Canon 985, 7, states: (The following are irregular from crime): Those who exercise an act of major orders which is reserved to those who possess that major order, or if, after having received it, they have been forbidden to exercise it by a canonical penalty, whether personal, medicinal or vindictive, or local."<sup>11</sup>

It is clear from the wording of canon 985, 7, that this irregularity may arise from two juridical causes: (a) It may be incurred by the exercise of a major order which has not been received: (b) It may be incurred by the exercise of a major order which has been received but the exercise of which is prohibited by a canonical penalty. The commentators on the Code also stress this twofold cause of the irregularity.<sup>12</sup> This section of canon 985 is not unique in this respect since other sections of the same canon also clearly contain more than one juridical cause. This twofold juridical cause must be kept in mind as the following applications of the general principles concerning multiplication are made.<sup>13</sup>

(a) There is no difficulty in regard to generic and specific diversity; it is obvious that these produce multiplication. Therefore, if a person incurs the irregularity of the abuse of Sacred Orders under either one

<sup>9</sup>Cfr. Cappello, F., *Tractatus Canonico-Moralis de Sacramentis*, Vol. IV, De Sacra Ordinatione, Taurini et Romae, 1951, n. 456; Vermeersch, A. — Creusen, J., *Epitome Iuris Canonici*, Tom. II, ed. 6, Mechliniae et Romae, 1940, n. 255; Regatillo, E., *Ius Sacramentarium*, ed. 2, Santander, 1949, n. 975.

<sup>10</sup>Regatillo, op. cit., n. 975.

<sup>11</sup>"(Sunt irregulares ex delicto): Qui actum ordinis, clericis in ordine sacro constitutis reservatum, ponunt, vel eo ordine carentes, vel ab eius exercitio poena canonica sive personali, medicinali aut vindictiva, sive locali prohibiti."

<sup>12</sup>Cfr. Wernz, F.X.—Vidal, P., *Ius Canonicum*, Tom. IV, De Rebus, Vol. I, Romae, 1934, n. 254; Cappello, op. cit., n. 509; Regatillo, op. cit., n. 962; Prummer, D., *Manuale Theologiae Moralis*, Tom. III, ed. 10, Barcelona, 1946, n. 622.

<sup>13</sup>The reason for the twofold aspect of this irregularity is to be found in its historical origin and development, for before the Code the subject-matter of the present canonical irregularity constituted two separate irregularities.

of its two aspects and he also possesses one of the defects noted in canon 984, he has contracted two irregularities (generic diversity). If he has incurred the irregularity of the abuse of Sacred Orders under either one of its two aspects and he then commits one of the other crimes mentioned in canon 985, he has contracted two irregularities (specific diversity).

(b) A cleric in major orders who exercises a major order which he does not possess and who then exercises a major order which he does possess but from the exercise of which he is prohibited by a canonical penalty, incurs two irregularities. The reason is that he places the two distinct causes from which this irregularity of the abuse of Sacred Orders arises. In other words, in this case it is not a question of the numerical multiplication of the same cause, but, as was pointed out above, there is question of the placing of two different juridical causes as expressed in the law.

(c) With regard to numerical diversity it may be said that, since according to the Code the repetition of the same cause does not multiply the irregularity, it follows that a person who on several occasions exercises acts of major orders not possessed by him incurs only one irregularity, even though the acts and the orders may vary. The reason is that the juridical cause is and remains the same, namely, the exercise of major orders not received. Therefore, a layman who administers solemn baptism and then attempts to give sacramental absolution incurs only one irregularity, because these two different acts are simply repetitions of the same juridical cause, namely, the exercise of major orders not received.

(d) The pre-Code canonists invariably treated the question of the multiplication of irregularities in its application to the second part of this irregularity of the abuse of Sacred Orders or, as it then was, the separate irregularity of the violation of an ecclesiastical censure; and many of them taught that the presence of different censures in the same person produced multiplication of the irregularity if the person exercised an act of orders forbidden by those censures.<sup>14</sup> Other pre-Code authors, however, taught that the multiplication of censures did not multiply the irregularity.<sup>15</sup>

As a general rule the canonists after the Code, when illustrating the

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<sup>14</sup>Cfr. Suarez, *op. cit.*, disp. XXXIII, sect. III, n. 12; Bonacina, *op. cit.*, De Censuris, disp. VIII, qu. V, punct. ult., n. 4; Tamburinus, *op. cit.*, Lib. X, Tr. IV, cap. IV, sect. III, n. 11; Viva, *op. cit.*, Pars VIII, qu. VIII, art. V, n. 13; Boenninghausen, *op. cit.*, fascic. I, p. 57.

<sup>15</sup>Cfr. St. Alphonsus, *op. cit.*, Lib. VII, cap. V, n. 359; Gasparri, *op. cit.*, n. 372.

incurrence of this irregularity under its second aspect, give examples which involve only those cases in which a cleric is under only one ecclesiastical penalty. This case causes no difficulty and it can definitely be said that the repetition of forbidden acts of Sacred Orders in such a case does not multiply the irregularity. The reason is that, even if the acts differ, the juridical cause remains the same, namely, the exercise of orders forbidden by ecclesiastical penalty. Therefore, if a suspended priest celebrates Mass on several occasions, or celebrates Mass and hears confessions, he incurs only one irregularity.

But generally it is very noticeable that these authors either avoid or do not advert to the possible case—discussed by their predecessors—in which a cleric is affected by more than one ecclesiastical penalty forbidding the exercise of major orders, and yet performs an act in violation of them. Coronata makes a brief reference to this matter when he makes the general remark that the multiplication of censures does not multiply the irregularity.<sup>16</sup> Hickey appears to have the opposite opinion in mind when he writes: "It is patent that a cleric affected by a particular personal interdict would contract a twofold irregularity, who would exercise his divine office in a place under interdict, whether the latter be general or particular."<sup>17</sup>

Looking at this case in the light of the Code law (canons 985, 7, and 989) it seems that the multiplication of penalties in one and the same person does not produce multiplication of the irregularity, and the reason is that the juridical cause as expressed in the law remains the same. As the irregularity is now expressed in the Code the determining cause of the irregularity is not excommunication as such, or suspension as such, or interdict as such, or any other penalty as such, but it is the performance of an act of major orders forbidden by ecclesiastical penalty, whatever that penalty may be. Therefore, even when several such penalties simultaneously exist, the juridical cause remains the same and the placing of the act against several penalties may be regarded as a "circumstantia aggravans sed non multiplicans."

The irregularity was not exactly expressed in this way before the Code. Before the Code it was expressly stated in the law that the violation of suspension caused irregularity, and that the violation of interdict caused irregularity; and on this account (while not, however, passing judgment on the pre-Code disagreement) those canonists who taught

<sup>16</sup>Coronata, op. cit., n. 149: "Irregularitas ex hoc capite non multiplicatur multiplicatis censuris."

<sup>17</sup>Hickey, op. cit., p. 67.

that the multiplication of censures also multiplied the irregularity might have had reason to regard these censures as specifically distinct causes according to the law. But this irregularity is now expressed in the law in a more general way, and the emphasis is not so much on the particular penalty as such which prohibits the act, but rather on the performance of the prohibited act itself, no matter how it is prohibited; and hence these penalties as such no longer appear as distinct juridical causes according to the meaning of the law, and only one irregularity results when the prohibited act is performed, whether forbidden by one or more penalties.

G. C. GALLEN.

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### SHORT NOTICE.

SAINTS UPON A TIME, by Joan Windham (London: Sheed & Ward. 1956. 160 pp. 9/- stg.).

It is eight years since Joan Windham published her popular books, *Six O'Clock Saints* and *More Saints For Six O'Clock*. Although written for young children they are perhaps better suited to grown-ups who chuckle over their humour. An experienced and successful Junior teacher whom we consulted says that she does not wholly care for them as spiritual reading for children, who like to look up to the saints. Children, as we know, are born idealists. The Saints in Joan Windham's books do not satisfy this thirst for idealism. Yet surely she could be her humorous and attractive self while avoiding flippancy. We still say this after reading her third book, though there are really some charming pages—but, again, it will be adults who will appreciate them to the full.

In her preface the author explains that the fourteen miniatures of hagiography were written at the request of children who wanted to know something about the saints whose name they bear. She has a word to say against the tendency of many Catholic parents to call their babies by fancy or pagan names. She caters for girls and boys: Blaise, Gillian, Swithin, Agnes, Lucy, Olga, Penelope, Susan, Archibald . . . . .

Many people will wince at a phrase on the dust-cover where St. Anne is called "the grandmother of God." A greater measure of awe would improve many Catholics—young and old. God is our loving Father, but He is also *Deus Omnipotens . . . Rex Tremendae Majestatis*.

Since this review was written, a letter is to hand from a man in Chicago, enclosing an opinion of an experienced American priest who is a great favourite in the junior school as a teller of stories; he writes: "Raised in the vicarious world of television, these children not only listen—they live a story. Hence they suffer martyrdom with little Tarcisus and are thrown into the arena with all the Christian martyrs. They quickly distinguish between truth and fiction. It is truth they want. Something that really happened."

M.O.



# Liturgy

## MASS FACING THE PEOPLE

Dear Rev. Sir,

i. In the erection of a new church is it permissible to arrange the structure so that the altar is placed more or less in the centre of the building and the celebrant will be facing some at least of the congregation?

ii. From what authority is permission, if required, to be sought for such an arrangement?

iii. Where there is already a permanent altar at the "east" end of the church, may a temporary altar be erected in a central position in the church for some special solemnity?

PASTOR (Victoria).

### REPLY.

Father O'Connell provides a ready response to the above query when he states: 'There is no written law forbidding the celebration of Mass facing the congregation, in fact provision is made for it in the rubrics—but in many places there is a legal custom to the contrary, and so permission of the Ordinary must first be obtained before it may be done, and before building an altar for this purpose' (*Church Building and Furnishing*, London, 1956, p. 154). The approval of the Local Ordinary is required before either a permanent or temporary altar could be erected in the circumstances described by PASTOR, since both arrangements involve a departure from an established custom in a very important aspect of public worship.

A great deal of discussion has taken place in recent years concerning this problem of celebrating Mass facing the people. As one would expect there have been arguments both for and against the practice. The appeal to history does not seem to provide any effective argument on the point. In some of the older Roman churches the altar is so placed that the celebrant faces the people, but this arrangement seems to have been dictated by convenience, e.g., when the *cathedra* was situated in the apse, and the clergy occupied the area between the altar and the *cathedra*. In other instances the altar was erected over the tomb of a martyr, and access to the tomb was from the nave of the church, thus necessitating the footpace being placed on the other side of the altar. The custom of facing the East when praying, might also have exercised some influence when the altar was situated at the west

end of the church. During the Middle Ages, the practice of the celebrant facing in the same direction as the people established itself in the West, as in fact had always been the case in the Eastern Church.

The practical difficulties in regard to the construction of the altar, tabernacle, the crucifix and candlesticks do not appear to be insuperable. At the same time, most writers agree that the celebration of Mass facing the people is more suitable for Low Mass than for a High Mass.

The real discussion, therefore, of the advisability or otherwise of the proposed arrangement of the altar centres around the question: does the celebration of the Mass facing the people effectively bring them into a closer union with the sacred action. The usual position of the priest, with his back to the people, emphasizes his position as head of the assembly offering to God the sacrifice of the New Law. When the priest faces the people the community spirit of the Mass is more clearly appreciated, so it is contended, and the aspect of the Mass as a sacrificial banquet is brought into greater emphasis. The exponents of this latter view admit that their ideal is more readily realized in a smaller gathering than in a very large assembly. The Mass is not merely a service of instruction and a Communion service, it is essentially a sacrifice, the renewal of Christ's sacrifice, with which we must unite ourselves. The orientation of the altar will not of itself create the appropriate dispositions of mind and will, careful instruction is demanded. Granted these conditions, how much more effectively the new arrangement of the altar will contribute to realizing a fuller participation of the people in the Holy Sacrifice of the Mass, is a matter that must be determined in individual cases. The success or failure of the experiment in one instance might not be reproduced in an entirely different environment. The final decision belongs to the Local Ordinary. Father Jungmann, S.J., whose authority is of great weight and who is at least sympathetic to the new arrangement, has said: 'It might be more correct midst average conditions to hold on to the traditional position as the general norm and to consider the other solution as an exception; an exception which one can only hope will be made use of as often as possible' (*The Eucharistic Prayer*, London, 1956, p. 38).

The situation described by PASTOR does not appear to be nearly as radical as that usually supposed in which the celebrant faces the whole congregation, the altar being in the normal position at the "east" end of the church. However, it is sufficiently unusual to require approval by the local Ordinary.

The high altar of the church should enjoy a primacy of honour in the church and this pre-eminence should find expression in the architectural design of the church. It should be the organic centre of the church, which does not necessarily coincide with the geometrical centre.

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## READING OF EPISTLE AND GOSPEL AT HIGH MASS BY CELEBRANT.

Dear Rev. Sir,

Is the celebrant to omit always, at a solemn Mass, the reading of the Epistle, Gradual and Gospel, as is now laid down for Solemn Masses in the Restored Order of Holy Week?

PASTOR.

### REPLY.

The Instruction of the Sacred Congregation of Rites published on the occasion of the introduction of the Restored Order of Holy Week stated: 'During the entire Holy Week, that is from the second Sunday of Passiontide or Palm Sunday to the Mass of the Easter Vigil inclusive, in a solemn Mass with sacred ministers. . . the celebrant omits whatever the deacon or subdeacon or lector chant or read in performing their own part of the ceremony' (n. 6). The *Ritus simplex* applies the same rule to the Epistle sung by a lector in a *Missa cantata*: 'In a sung Mass a lector, vested in surplice, may read the Epistle. The celebrant listens' (Dom. II Passionis, cap. iii, n. 2).

The norm here determined for Holy Week cannot be extended to sung Masses at other times of the year, although it is certain that it will in time become the rule for all sung Masses. However, the Holy See is alone competent to make the extension and as yet it has not done so.

It will be noted that the Instruction mentions only those readings which are sung or read by the sacred ministers or by a lector; it does not include the Introit, Gradual, &c. The lector need not necessarily be a tonsured cleric, a layman may perform the duty, but he must be vested in soutane and surplice.

The present practice of reduplicating the reading of those parts of the Mass sung by the ministers or choir appeared at the end of the 13th century, and became fully established only with the Roman Missal of 1570. Durandus (+ 1296) says that in the Papal Mass, the Pope's chaplains read the Introit, Kyrie, Gloria, Creed, Sanctus and Agnus Dei. This developed in the course of the two succeeding centuries, when the Missal determined that the celebrant should read privately all those texts

sung by the ministers and choir. The Order for the Easter Vigil of 1951 returned to the older practice for the lessons, and the celebrant, clergy and people were instructed to sit and listen attentively while these were being read. This was later incorporated in the Restored Order of Holy Week. The revival of the earlier arrangement is not only more reasonable, but serves to emphasize the dramatic and hierarchical character of the sacred rites.

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## REPEATING INVOCATIONS OF LITANIES—ACCIDENT IN GIVING COMMUNION TO A SICK PERSON.

Dear Rev. Sir,

i. Some time ago we were told that the invocations: 'Lord have mercy on us, Christ have mercy on us, Lord have mercy on us,' when said in the Litany of Loretto should be said not only by the priest but repeated by those answering. Does this ruling still hold? I find very few priests have the Litany said this way, while the Sisters think it is an idiosyncrasy on my part.

ii. When giving Holy Communion to an old person at home, the Blessed Sacrament fell on the serviette which was used in place of a plate. I took the cloth, which was monogrammed, and kept it in the church, having of course washed it corporal fashion. Should I return it or use it as a corporal?

X.

## REPLY.

i. A reply of the Sacred Congregation of Rites absolves our correspondent from the charge of idiosyncrasy, but not his informant from error when he stated that the initial invocations of the Litany *should* be doubled. In 1925 the Congregation was asked: 'When the Litany (of Loretto) is recited without chant may the first invocations be repeated in this manner: *V. Kyrie eleison. R. Kyrie eleison.—V. Christe eleison. R. Christe eleison.—V. Kyrie eleison. R. Kyrie eleison?* The reply was: Yes. The conclusion to be drawn from the reply is that it is permissible to repeat the above invocations of the Litany when it is either sung or recited, but it is certainly not necessary to do so. If the general practice is not to repeat the invocations, it would seem advisable to follow that practice which is certainly correct.

Of passing interest is the question of the translation of the invocation, 'Lord have mercy on us,' which introduces the pronoun as compli-



ment of the verb. Readers who have used the American *Collectio rituum* will have observed that *Kyrie eleison* is translated simply: *Lord have mercy*. The English *Ritus servandus* (1955) also translates the first invocations of the litanies in the same way. A footnote in the critical text and translation of the Ordinary of the Mass published by Dom. B. Botte, O.S.B., and Christine Mohrmann has this to say: 'The Kyrie was originally the response to a litanic prayer, and so required an invocation of a general character. This explains the omission of a compliment, whereas in the Gospels this invocation is always followed by a pronoun as compliment' (p. 63, n. 2). The Official Edition of the Altar Manual of the IV Plenary Council translates the invocation: 'Lord have mercy on us,' and this should be followed. However, it could be that a future Council might decide to modify the translation in the light of a more accurate knowledge of the liturgical texts and their translation.

ii. The rubrics of the Roman Missal (*De defectibus*, X, 15) state: 'If the consecrated host, or any particle of it, falls on the ground, it should be reverently taken up, and the place where it fell washed and slightly scraped, the dust or scraping being put into the sacrarium. If it falls outside the corporal on the altar cloth, or otherwise on any linen, such cloth or linen should be carefully washed, and the water used for washing thrown into the sacrarium.' In the present instance, then, it would be sufficient to wash the serviette and return it to its owners. It is not necessary to keep it at the church, and it should not be used as a corporal unless it is of appropriate material and size. It may be further remarked that the rubric does not require a triple washing, as in the case when the Precious Blood is spilled, but says simply 'carefully washed.'

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#### DIALOGUE MASS.

Dear Rev. Sir,

In view of the article in the *A.C.R.*, January, 1957, should all Dialogue Masses conform to the principles enunciated in this article?

INTERESTED.

#### REPLY.

The Local Ordinary is competent to determine the precise form that a Dialogue Mass should take, just as his permission is required for such Masses. In the absence of any instructions of the Ordinary in the matter, the majority of writers seem to favour an arrangement in

which the people recite those responses and texts of the Mass which are properly sung by the people in a sung Mass. As to the recitation by the congregation of other parts, e.g., the prayers at the foot of the altar and the Confiteor before Communion, we might refer to the remarks in the above article. It is possible, of course, that in the beginning the people may not be able to master all the texts mentioned, as for instance the Creed, in which case it would not be out of order to omit the recitation of this by the congregation until such time as it could be mastered.

The most important aspect of the question is to ensure that the faithful understand that the Dialogue Mass is an effective means of their giving external expression to their interior union with the Holy Sacrifice.

P. L. MURPHY.

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### SHORT NOTICE.

THE WAY IT WORKED OUT, by G. B. Stern (London, Sheed & Ward. 1956. 146 pp. 10/6d stg.).

This is the second book written by G. B. Stern about her conversion to the Catholic Church. The first one, *All in Good Time*, was something of a disappointment to many of her admirers who formed an immense reading public twenty years ago for her novels of Jewish family life. Who, having met *Tante Berthe* in those pages, could ever resist a book by G. B. Stern?

Who will like this second book describing some of her reactions to Catholic teaching? Certainly most born Catholics will feel impatient at being confronted with so much pother about legends of hagiography. (This, in spite of the report in liturgical circles that legends are coming into favour again.) G. B. Stern has *pages* of them. We imagine that her readers will belong to one of three classes: a) born Catholics (quite incredulous), b) converts who will murmur with a touch of worry: "I didn't think legends were so important," c) pagan and curious "fans" murmuring, "Well, I never . . ."

Yet there are moving and beautiful passages which urge us to send a request to the author, to show us her real self in her next book. She is a woman of deep faith and feeling, with wide sympathies undiminished by her vitality and humour. She could write a book on the Way It Worked Out that would be, in the best sense of the phrase, a "best-seller." The reticence of a convert is something to be respected; but once an author like G. B. Stern begins to tell the world about her conversion readers have a right to protest if they are fobbed off with trivialities.

M.O.

# Homiletics

## CHARITY BETWEEN THOSE OF STRONG AND WEAK CONSCIENCES.

We propose to expound in some measure the whole of Romans xiv within the compass of these few pages. Like every Scripture divinely inspired, our text is full of precious lights for the preacher and the spiritual director. Meditation on the words will suggest manifold applications.

There are in every community, whether it be a diocese, or a parish, or a smaller group, Christians who have the full enlightenment of faith, and, consequently, full Christian freedom of conscience. Though Christian life is based on self-denial and is the greatest and most intimate discipline that man can be subjected to, it is most emphatically a law of liberty. There is nothing in the whole realm of good which the Christian may not follow up (according to his state and grace, of course) in the activities of his life and his use of creatures. Those who have a thorough conviction of this are strong Christians, and, apparently, they were the great majority of the Roman community to which St. Paul addressed his epistle.

But there are also in most communities persons or groups of lesser enlightenment, whose Christian conscience does not derive from the light of faith the full sense of the liberty with which Christ has set us free. This often happens with regard to ascetic practices. For instance, we have teetotallers who look upon "the blood of the grape" with something of the glance of a Manichæan eye. They consider tacitly, at least, that teetotalism is a condition of Christian perfection. Less often, but sometimes, vegetarianism may take the same turn, and it has done so in communities which were very far from being heretical.

In piety, also, there is sometimes an attachment bordering on scrupulosity, or even on superstition to certain practices. At any cost, with all possible acceleration of breathing, 1000 Hail Marys must be said on the feast of the Assumption, or some other special devotion must be practised as a condition of perfection.

As in the case of the peculiar people, whom we are presently to meet in Romans xiv, all this is within the borders of orthodoxy. What may happen is that the strong Christians would despise the weak brethren, or, on the contrary, the weak "observants" would judge the

strong as being too fast and free, too negligent of rigid discipline to be good Christians.

St. Paul envisages a situation like this, and applies principles, which, like those of the idolythyta case in first Corinthians, help us to find that balance, mutual forbearance, love of concord, spirit of harmony, which is the great preserver of charity.

A reading of chapter xiv will reveal to us that there was in the Roman community of the year 57 or 58 a group of faithful who were not just the same as the others, for they had special practices. Some of them attached special importance to certain days; some abstained from meat and wine, and were vegetarians. And it seems that they regarded these practices as purity laws. Any Christian may, of course, follow rules of abstinence as mortification, but it is a different thing when he thinks those special mortifications as more or less essential to a complete Christian life. He is not necessarily unorthodox in doing so (the Roman group was not unorthodox), but he shows that his Christian conscience is not strong, has not a fully enlightened concept of Christian liberty.

In circumstances like those a certain opposition is likely to arise between the strong and the weak, begotten of contempt, on the one side, and a tendency to condemn on the part of the "observants", and this is what St. Paul wishes to cure.

The first part of his exhortation, though including the "strong" and the "weak", is mainly concerned with the latter, its burden being: "Do not condemn" (xiv, 1-12); the second is addressed only to the "strong" and its burden is: "Take care not to use your liberty to the scandal and moral harm of the weak brethren" (13-23).

Let us see the text of the first part (1-12): "Give a good reception to the one who is weak in the faith, and do not dispute about opinions. Such and such a one believes that he may eat anything, but he who is weak eats only vegetables. Now, he that eats [everything] must not despise him who does not eat [everything], and he who abstains should not condemn him who eats [everything], for God has received this latter [into His family]. As for you, who are you to condemn another's servant? That he remains standing or that he falls, that is his master's concern; and [besides] he shall remain standing, for God has the power to keep him on his feet. This man [so and so] prefers one day to another; but that man puts them all on the same level. Let each one assure himself of his own conviction. The one who takes account of the days, does so for the Lord; and he who eats [everything] does so



for the Lord, for he gives thanks to God. And he who abstains does so for the Lord, and gives thanks to God. Indeed, none of us lives for himself, and none dies for himself. If we live, we live for the Lord, and if we die, we die for the Lord. Hence in life, as in death, we belong to the Lord. For this very purpose Christ died and came back to life, to be the Lord both of the dead and the living. But you, why condemn your brother? And you, why despise your brother? The truth is, we shall all stand before the judgment seat of God, for it is written: 'As I live, says the Lord, to me every knee shall bend, and every tongue shall give glory to God'. It is this, then: Each of us will give an account of himself to God."

A few words of explanation: In the context, "weak in the faith" means "of weak conscience". The full enlightenment of faith brings with it strong conviction with regard to what one may or may not do. The "weakness" here, whether it be scrupulosity or even minor errors on the side of rigour does not affect substantial orthodoxy. Open-hearted kindness to such persons is better than trying to change their opinions—a task that will probably be useless and will only lead to disharmony.

Such weakness does certainly mark those, who have it, as somewhat mentally and religiously inferior, but it is not for the strong to despise them, whom God has received into His family. On the other hand, it is not for the observant to dub the strong as free-livers or attach some other such epithet to them.

Judging others with that condemnatory slant, which so often is just called criticism, involves a kind of arrogance, for it is arrogating to self what belongs to God. In the end God is the only judge, for He alone knows the secrets of the human heart (Romans 2:16, 1 Cor. 3:4). When we judge the imperfections of a fellow Christian we mostly forget that he is God's servant, and that God is principally concerned whether he stands or falls, and is also supremely powerful to keep him standing. It is also worth noting that in the eyes of some contemporary critics the rigorously ascetic, John the Baptist, was regarded as a demoniac, and Jesus, living the common life, was regarded as "a man of good cheer and a wine-drinker, a friend of publicans and sinners". Criticism has two prongs always.

Both the strong and the weak at Rome were practical and practising Christians. The proof of it is that both thanked God for what they ate both in free unlimitedness and in ascetic limitedness. All

were living for God, as Christians born into a new life with Christ, living by Him and for Him, as they were bound to do.

Verses 7-12 are magnificent. They have been chosen by the Church as Epistle of the Votive Mass for a happy death. As Christians, we are not our own. Christ's Lordship over us is in His death and His resurrection, for thereby He bought us into the life which we must live for Him and consecrated the death which we must die in union with Him. "Whether we live, or whether we die, we belong to the Lord". He is Lord of the living and also of the dead—whom He will raise from the dead.

The Scriptural citation consists of a short swearing formula: "As I live", from Isaias 49:8, and a distich (45:23 cd.) from one of the most universalistic poems of the whole Bible (Is. 45:20-25), which St. Paul also takes over informally and applies to Christ in the famous Christological gem of Philippians (2:5-11). The text asserts the universal sovereignty of God, the judgment being a characteristic act of that sovereignty.

Verse 13, which is transitional, reads: "Let us therefore be done with judging each other; judge rather that you must not put before your brother an occasion of sin or a stumbling block". It will be evident that this is the conclusion of what we have read so far, and that it introduces the special admonition to the strong, namely, "Do not disedify", which follows:

"I know and am fully convinced in the Lord Jesus that nothing is of itself unclean; but to him who thinks something to be unclean, it is unclean. If, indeed, your brother is injured because of what you eat, you are no longer acting according to charity. Do not, with your food, cause him to perish, for whom Christ died. Do not, then, expose your privilege to calumny. For the Kingdom of God is not a matter of food and drink, but it is justice and peace and joy in the Holy Spirit. Indeed, he who in this way serves Christ pleases God and is approved by men. Let us then pursue the things that make for peace and mutual edification. Do not, for the sake of food, destroy God's work. All [foods] are clean, but it is bad for a man to eat and thereby give scandal. It is good not to eat meat and not to drink wine and not to do anything by which your brother is hurt or scandalised or weakened. As for you, keep that faith, which you have, before God. Blessed is he who does not judge himself [guilty] at the moment that he makes a decision. But he who eats in spite of his doubts condemns himself,

because he acts without [good] faith, and because all that does not come from [good] faith is sin".

St. Paul knew that Christ had abolished all distinction between clean and unclean foods. Hence his conviction "in Christ"—there is probably an allusion to the great anti-pharisaic treatment of the question which St. Paul would have known from tradition and which we know from Mark 7:1 ff., and the parallel passage of Mathew xv. However, the one who has an erroneous conscience regarding a food, regarding it as unclean, when it is not, incurs moral defilement or guilt. It is here that the strong or enlightened ones must be careful not to be the occasion of sin. "If because of food your brother is saddened", says St. Paul, "then you are no longer walking in charity". The word "saddened" we have translated "injured" because the context makes it clear that scandal is given. There is in the act of the "enlightened" one using his liberty indiscriminately what moral theologians call "*scandalum pusillorum*". A food-liberty draws into sin and perdition a man for whom Christ died.

"Do not expose your privilege (literally 'your good thing') to calumny". The word "privilege" probably means your Christian liberty. It would be exposed to calumny when bad use was made of it to the detriment of charity and the good of the community.

Note the beautiful definition of the Kingdom of God. It is not a matter of food and drink. It is justice and peace and joy in the Holy Spirit. To serve Christ in that way, following justice, preparing peace, producing joy is sure not only to please God, but to secure, not the calumny, but the approval of [good] men.

The "work of God" which the inconsiderate strong one would destroy is either the person of the weak one, or the whole community which is God's building (1 Cor., 3:9). Instead of following out the work of peace and edification, he is disrupting and destroying. Self-denial is called for when any damaging use of our liberty would assert itself.

The whole passages greatly impresses upon us the regard that we should have for the spiritual interests of each other.

W. LEONARD.

# Notes

The trained pen of Monsignor John Tracy Ellis, professor of American Church history at the Catholic University of America, Washington, is already well known by his carefully documented *The Life of James Cardinal Gibbons* (Milwaukee, 1952).

TWO Hence his recent essay on *American Catholicism* (Chicago, RECENT 1956. The Chicago History of American Civilization. BOOKS The University of Chicago Press. XIII + 208, 3 dollars.)

will be welcomed as the work of an historian who is master of his chosen field. Not the least interesting thing in the book many foreigners will think are the bibliographical notes contained in the section headed *Suggested Reading*, which is a valuable critical reading list in American Catholic history, and, also, the long list of important dates running from 1494: First Mass celebrated in the New World, to 1953, Erection of Hartford as twenty-sixth archdiocese in the U.S.A., while together with its suffragans it brings the total of dioceses in the country to 105. It is interesting to compare Monsignor Ellis's book with the recent book of Professor R. Aubert, *Le Pontificat de Pie IX* (*Histoire de l'Eglise*, by A. Fliche and V. Martin, Volume 21, Paris, 1952).<sup>1</sup>

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<sup>1</sup>Some time ago mention was made here of Volume 19 of this collection. Father E. A. Ryan, S.J., writing in the *Catholic Historical Review*, January, 1957, pp. 486-487, took a more kindly view of the volume in question, as he felt it would be of use to professors and students, as critics of the book had expected more than they should have from the nature of the book. However, the grievance of the critics is that they have got so little from the book. Again the election of Clement XIV! It states: "The failure of the candidate of the Crowns, Sersale, archbishop of Naples decided the ambassador d'Aubeterre to propose Cardinal Ganganelli." The punctuation of the original has been retained. Who was d'Aubeterre? The index says simply: D'Aubeterre, 44, so accordingly, it is the sole time he is mentioned. Surely for sake of clarity it would have been possible to identify him as the French ambassador. Further down the same page there is a brief sketch of the pope's character. "The new pope was charitable and an admirer of saintly souls, such as Madame Louise de France, daughter of Louis XV, but he often lacked skill and fairly often courage also. Bernis said about him on December 20, 1796: "His Holiness is generally master of his words, but never of his expression." To sum up, a fairly weak (*assez faible*) pope, under the influence of one of his familiars, Bontempi." What impression does that leave you of Clement XIV? In the *Revue d'Histoire Ecclesiastique* (1956, pp. 144-165) the well-known historian of Jansenism, L. Ceyssens, O.F.M., submitted the chapters devoted in the above book to Jansenism to a close examination. The result was damaging for the book's reputation. In the most recent number of the above journal, however, there is a long review of the book which speaks of the book as a mass of notes hastily put together, yet, in all fairness, it must be stated that



In this very interesting book, if certain positions might be questioned, the young Louvain scholar has devoted some nine pages (p. 427 to p. 436) to the church in the U.S.A. during the reign of Pius IX. Americans noted the small space allotted to the American Church. (Beyond a mention that at the Vatican Council the names of Melbourne and Wellington appeared which no Father at Trent had ever thought of, Australia is hardly mentioned. "But have you any history?," Professor Aubert might ask, "Of course you have the happy story of the development of dioceses and of the growing number of the priests and the faithful, but have you any outstanding men: saints, scholars, or even heretics that I can write about?" Up to this it must be admitted the Council of Trent is more worthy of study than say the Plenary Councils of Baltimore, or their Australian equivalents. But Monsignor Ellis is of opinion while not forgetting the great things there is a definite place also for the study of the church at work in a particular place). Aubert would have used *American Catholicism* to great advantage, if he had not written before its publication. He gives as the fundamental work on American Catholic history J. G. Shea's *History of the Catholic Church in the United States* (4 vols., New York, 1886-1902 (*sic*)). Ellis agrees but gives the date as 1886-92, and knowing the accuracy of the American, one feels Aubert has led you astray. Aubert mentions Theodore Maynard's *The Story of American Catholicism* (New York, 1941) in the French translation as a good synthesis. The American scholar, however, warns that it is readable and in the main good "if it is used with the cautions noted in a critical review . . . (*Catholic Historical Review*, XXVIII, pp. 94-103)." And so it goes, but M. Aubert's brief summary written on the banks of the Dyle is in its way a remarkable effort.

Monsignor Ellis writes first of the great Spanish action in the new world touching the southern area of the present United States from Florida across the continent to California. He indicates the strength and weakness of a Spanish colonial and religious system, pointing out the efforts of H. E. Bolton to bring American scholars to a more benign judgment of the Spanish activities. In the North, mainly, the great French effort was made, and the names of Laval, Marquette, Jolliet and La Salle are a constant reminder of the work of the French Church and State. After the Spanish and French activities, the author considers

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the reviewer ends by saying that despite the failings of the book, it contains much information and will be of service. (Vol. LII, January, 1957, pp. 173-176). This is a great consolation for those who did not receive a free copy for review, but had to pay for the two volumes in question, which will have to be re-read.

the English settlements along the Atlantic Coast, bringing to the American continent the terrible quarrels of Protestants and Catholics. "In a recent work Louis Wright states that, for better or for worse, Americans have inherited the basic qualities of their culture from the British.... Apace with the influences exercised by other national strains in the generation of American civilization, the British has yet remained the strongest and has assimilated most of the others." In 1789, John Carroll became bishop of the newly erected diocese of Baltimore, beginning what might be called the modern history of the American Church. The waves of immigrants in the 19th century aroused Protestant fears which combined with the alarm of the native Americans brought about the nativist movement, leading to the burning of an Ursuline convent at Charlestown in 1834, the publication, two years later, of the *Awful Disclosures of the Hotel Dieu Nunnery of Montreal* by Maria Monk and the bloody events in anti-Catholic violence at Philadelphia in 1844. The vehement anti-Catholic and anti-foreign prejudice found strong support in the Know-Nothing movement (i.e., the secret order of the Star-Spangled Banner, whose members when questioned on the aims of the order said they knew nothing. Hence the nickname of the Know-Nothing party), whose doings are "a dreary tale which we need not enter upon in detail... Mark Twain testified... 'I have been educated to enmity towards everything that is Catholic, and sometimes, in consequence of this, I find it much easier to discover Catholic faults than Catholic merits'." Monsignor Ellis then studies the influence the Civil War had on the future of the Catholic Church, indicating the extraordinary growth of the Church in the first fifty years of the century. From 1860 to almost the present day, the biographer of *James Cardinal Gibbons* is more than ever capable of giving a masterly sketch of the events.

Useful as this book will be to his own countrymen, it will be of the utmost value to those outside the United States who wish to know the outline of Catholic history in that country, with the problems of the schools and the labour struggle which are of great interest. Monsignor Ellis writes with the impassivity of the scholar, for instance, speaking of the status of Catholics in relation to other Americans in national leadership, he writes: "One may still conclude that American Catholics since the turn of the century have exercised nowhere near the leadership and influence or attained the national prominence that proportionately might have been expected of them... What is the explanation? In part it is due to the fact that up to recent years the principal energies of the

Church have been expended on hundreds of thousands of immigrants ... A second reason is that we all live, unfortunately in an environment strongly non-intellectual, and even anti-intellectual... In most of the anti-intellectual trends of our day American Catholics have taken their full share, even to adulterating what was once a solid programme of studies for the enrichment of the human mind by the introduction into the curricula of their colleges and universities [and Monsignor Ellis gives their number as 254] of what, to the minds of many, are pedagogical gimmicks... A third factor which enters the picture is the discrimination against Catholics to keep them out of posts of leadership ... In November, 1928, that fact was made evident for all the world to see when Alfred E. Smith was defeated after a presidential campaign in which, as Oscar Handlin says, 'the violent propaganda... created an image of Catholicism as a menace'... Since 1789 there have been only fourteen Catholics in cabinet posts, and ten of those received their appointments after 1933." This quotation will give the reader some idea of the tone of Monsignor Ellis's book, which will arouse much thought in Australian readers as they compare the result with the activities of Australian Catholics, particularly during the nineteenth century, in the fields of politics, scholarship and impact that they have made on Australian society. Monsignor Ellis has written a very valuable and clear sketch. A new D. B. Wyndham Lewis! "In a few years I had created what to my way of thinking is the most valuable kind of success for an author: a community, a dependable group of people which looked forward to each new book which bought each new book, which trusted in one," so wrote a successful, but unfortunate modern author. It is to be hoped that Mr. D. B. Wyndham Lewis has created a band of readers who buy his books, because he is a tonic for Atomic Age readers, as he so blandly disregards modern anxieties. Those who have tasted of his first biography, *Francois Villon* (1928, reprinted in 1945 by Sheed and Ward), and found the draught to their liking have no doubt continued to read his books: *Ronsard, Charles V, King Spider* (Louis XI), *The Hooded Hawk* (James Boswell), not to speak of his *Christmas Book* and the *Stuffed Owl*. But if you are a stranger to his world, first you must distinguish him most carefully from the Percy Wyndham Lewis who was no blood relative nor kindred spirit. Moreover Percy Wyndham Lewis has recently died, while D. B. Wyndham Lewis is full of life in his latest book *Doctor Rabelais* (London, 1957. Sheed and Ward. XII + 274 pp. 21/-). It was inevitable that he should write this book. Mr. Wyndham Lewis writes

mainly on French subjects and he is a magnificent translator of French, prose and poetry. It turns out that his Rabelais has accompanied him throughout life. Custom officials at Dover and New York have sniffed suspiciously at his old finely printed copy of Rabelais; the book, he tells us, has helped him greatly during the dreary week-ends he has passed in the homes of the rich. Most of D. B. Wyndham Lewis's books open with him lurking in some French town or church that is connected with some past Catholic—a Catholic though of sorts whom bloodless dons have crass theories about, the foolish Learned to be put right—so here we find him in Chinon, sunny and warm, where all the inhabitants of the district are in a state of perpetual semi-intoxication, so Leon Daudet has testified (and Daudet turns up in all Wyndham Lewis's books), when the grave tones of an Anglican clergyman are heard sneering at Rabelais. The book is launched. Mr. D. B. Wyndham Lewis is a faithful disciple of Hilaire Belloc; the aroma of the 1920's is most pronounced. Accordingly tea drinkers and soft drink lovers are warned off the turf. Wine is Catholic; tea is donnish, Anglican; lemonade is not of the Faith. Wyndham Lewis can only be savoured after a good dinner, with cigar in hand, before a warm fire. You are then prepared for his gusty, slangy outbursts of riotous humour, claps of laughter and his frequent revelations of exact and precise learning. Certain words are sure to turn up in his books, to be greeted by the faithful with whoops of delight, *slut*, for instance, *cuckold*, *toss-pot*. You can be sure too of the set pieces of wonderful haunting beauty. He excels at Michelet's old game of the resurrection of the past. So many of his characters have made their *joyeuse entrée* into Paris, that Wyndham Lewis can do it in his sleep with the help of Braun's fine map of old medieval Paris, Villon's (and Father Brodrick's) Paris. "Dom Francois Rabelais is at this moment round about thirty years old. Of his size and shape nothing is known. One imagines him as above average height, ruddy, robust, vigorous, and in short, as he describes himself in the prologue to the Fourth Book, 'hale, and cheery, as sound as a Bell, and ready to drink if you will'...His eyes can blaze, his tongue can wound, and his command of Billingsgate in three or four languages can strike to admiring dumbness any saucy fishwife of the Petit-Pont or porter of the Halles...So he strides down the Rue St. Jacques towards the river, with a glint of derision at the tall, twin-towered Gothic pile of the Sorbonne on his left hand; scanning the elaborate multi-coloured signboards creaking from every gable, halting every few yards at another bookshop, printer's, or binder's, sniffing



fragrant wafts from a score of taverns and cookshops...throwing an interested glance, undoubtedly, at the long-since-vanished cloister of St. Benoît-le-Bétourné...formerly the home of the ancient Francois Villon, *poete parisien*...and generally beginning to absorb and digest the sights, sounds, and smells of a capital whose population the Doctor will in due course sum up, a trifle arbitrarily, as *sot par nature, par bequarre et par bemol*; fools by nature, by B-Flat and B-Sharp."

And so it goes, sometimes very good, at others it must be confessed the Master is tired and his style would be rejected by Leaving Certificate examiners. In his *Francois Villon* Mr. Wyndham Lewis confessed his adoration of Pierre Champion, the greatest of the Villon scholars. In 1933 Champion's long exhausted *Francois Villon Sa Vie et son temps* was reprinted. The great French scholar thus noted the efforts of D. B. Wyndham Lewis: D. B. Wyndham Levis (*sic*), Francois Villon a documented survey...with a preface by Hilar (*sic*) Belloc...essai non sans fantaisie, mais non sans goût. I think Mr. Wyndham Lewis would accept that as an epitaph, even with the misprints.

Rabelais at various times was a Franciscan, a Benedictine, a doctor of medicine, a secular priest and a Benedictine again. He is remembered because of his comic work *Pantagruel* with its violent attack on the religious life. You have to be tough and a stayer to keep with Rabelais and "his symphony of fantastic and logical absurdity with which he doubtless grew bored long before the majority of his public...Tossing inexhaustible supplies of tripe-and-onions to the vulgar, Dr. Rabelais has plenty of caviare for the sophisticated..."

For Wyndham Lewis Rabelais is "a highly cultivated, brilliant, jolly, slightly alcoholic, quick-tempered member of the French professional bourgeoisie talking gloriously at high speed and occasionally making an ass of himself..." Mr. Wyndham Lewis is determined to rescue Rabelais from "academic vultures," who should keep their claws off Rabelais and feed on their proper meat, Mother Nature's prigs, Comte, Mill...Emerson and Goethe, and suchlike...

Dinner is over, the fire welcomes, the cigar is drawing well, so away with D. B. Wyndham Lewis for an hour or two in the Renaissance age. It is not the best of the author's book, as Rabelais himself seems to have been an abbey-lubber, but Wyndham Lewis always has high spirits and uses some gorgeous words. It is written not without fantasy, but, on the other hand, not without taste. A distant admirer of Mr. Wyndham Lewis lives in hope that he will yet find a subject worthy of his great talent, which he will treat in a less robust manner.

Maurras, Drumont, and L. Daudet somehow do not sound well in English, and D. B. Wyndham Lewis has damned the dons and the Puritans quite enough already. His faithful readers await the next move.

T. VEECH.

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A concise explanation of the new law for the Eucharistic Fast may be found in the pamphlet: *The Fast before Communion, The new Law*, by Monsignor James Madden, D.D. The ideas of solids, liquids, the sick, medicine are discussed and illustrated with numerous practical examples. A brief historical outline of the history of the fast and its meaning, together with the reasons for the recent changes have been included. The pamphlet should be of great value to religious teachers, the laity and pupils of the higher secondary-school grades. Copies of the pamphlet are available from St. Patrick's College, Manly (5/- per dozen, plus postage).

A summary of the new law, in the form of questions and answers, suitable for insertion in the Catechism is also available (1/- per dozen).

T.V.

## Book Reviews

THE SACRAMENTS ON THE MISSIONS, by John de Reeper. Dublin, 1957. Browne and Nolan. pp. 539. 40/- stg.

Priests working on the Mission Fields, and, indeed, those in all regions subject to the S. Congregation of Propaganda, have found Fr. de Reeper's "Missionary Companion", first published in 1953, a valuable help as a compendium of canon law, as it applies in their pastoral charge. The present volume will be equally useful. It sets out to provide a supplement to the standard manuals of Moral Theology, in what affects the Sacraments in missionary conditions. All the Sacraments (except Order) receive due attention. Australian priests will be interested in the problems which confront their confreres on the Missions, and will be thankful that their own difficulties, especially concerning Marriages, are of comparatively easy solution. Questions like the Pauline Privilege or the *Privilegium Fidei* are not frequently met in our pastoral work, and if they do occur they can be referred to the experts of the Diocesan Curia. Baptism has seldom to be deferred till the question of the validity of a marriage is solved. The Missionary in pagan countries has all these difficulties to contend with, as well as a number of customs, which would seem to run counter to the Christian concept of the marriage contract. Fr. de Reeper, in the course of helping those who have to solve these cases, has thrown much light on our ignorance and has made us less complacent than we might have remained, regarding the difficulties associated with founding the Church in heathen surroundings.

Much of the book will have more than a theoretical bearing on our own work, as we meet it from day to day in an Australian parish. The chapters on the Baptism of infants (pp. 21-29) could be read with profit by any priest, to revise his theological notions and their application to practical instances. We may note that the directions for the reception of converts from heresy are not what are followed in Australia, where the rite used is that approved by the Holy See in 1888, with a shorter abjuration of errors, which was sanctioned in 1941. Pastors and priests who enjoy the faculty of administering Confirmation, at least in danger of death, will be grateful for the section on this Sacrament. Clear directions are given as to how the rite is to be performed to ensure its validity. In danger of death, when there is no time for all the ceremonies, the priest may be content with the essentials, i.e., the anointing on the forehead, the imposition of the right hand on the head while he says the words of the form. (On p. 79, should *Confirmo te, etc.*, read *Signo te, etc.*?) The ceremonies omitted are afterwards supplied. Churches, oratories, altars, their dedication and desecration; the requisites for Mass; the matter of the Sacrifice and the times at which it may be offered; stipends and other sources of the obligation of celebrating Mass, and bination—all these matters receive accurate, though necessarily summary, treatment. The Sacrament of Matrimony secures the largest

share of space, as its importance and complicated problems demand. The section on Catholic Marriages has full force, even for those not on the foreign Missions. The treatment of Penance and Extreme Unction covers the ordinary contingencies. Formulae for various blessings and consecrations, and examples of petitions for special faculties are given as a most useful appendix.

J.M.

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PROBLEMS IN THEOLOGY. Vol. I. The Sacraments, by John Canon McCarthy, D.D., D.C.L. Dublin, 1956. Browne and Nolan, Ltd. pp. 433. 40/- stg.

The supply of theological books in English, which can claim in all seriousness to offer more than a popular presentation of their subject, or to be considered above the standard of a ready reference for the busy priest, is unfortunately scarce. The present volume, which we hope will soon be followed by its companion, is thus all the more welcome. The title is not problems in "Moral Theology", but simply "Theology", and its author does not aim merely to give an answer, but logically works out the reasons for the answer from first principles and authority. Each question and reply form a complete presentation, sometimes brief and not infrequently quite extensive, of a particular problem. Though written, in most instances, to solve a practical doubt, the answers cover a vast range of dogma, canon law, and patrology, as well as moral. In fact, we may say that all the sacred sciences have been called upon to throw light on the difficulties submitted. St. Augustine's Teaching on the suffering of infants who died unbaptized, The nature of a priest's power to confer Confirmation, Transfer of Mass stipends, Mass without a server, Ignorance of reservation, Gravity of penance, Repetition of Extreme Unction, Instruction on the sterile period—morality of exclusive use, Co-operation in onanism: these are a few of the questions, chosen more or less at random, that are treated.

As a specimen of the method adopted, let us take the question of baptism of children whose parents are married outside the Catholic Church. (pp. 60-64.) Such parents may be divided into two groups. To the first group belong those who are both non-Catholics. Their case is solved by can. 750. The children may be baptized, even against the wishes of the parents, when they are in danger of death or it is prudently foreseen that they will die before the use of reason. Outside this danger of death, they may be baptized only if provision has been made for their Catholic upbringing, and with the consent of at least one of their parents or guardians, unless these have lost or are unable to exercise their rights. The reasons are to safeguard the natural right of parents to educate their children and to preserve the Sacraments from disrespect. If the parents are themselves baptized, they are *de iure* subject to the Church and she has a right to baptize their children; but to enforce this right would involve disrespect for the Sacrament and a disregard for the obligations which follow its reception. With regard to the second group, where one parent is a Catholic, or both are lax



Catholics, their case is not contemplated in the law. According to general principles, they should not be baptizied, outside danger of death, unless there be some reasonable hope that they will be brought up as Catholics. Each case should be examined on its merits, but, as a general rule, the condition is verified as often as the Catholic party asks the priest to baptize the child. The status of the parents may give rise to a suspicion that they will not bring up their children as they should, but it is not true that education depends on the parental union or virtue as a foundation. The Catholic upbringing of the children, in such circumstances, may be more difficult, but by no means impossible. At the end of the article the opinions of Prummer and Aertnys-Damen are discussed. Canon McCarthy would disagree with the former, who would allow the child to be baptized on the request of one parent, even if it were foreseen that the other would resist and educate him in heresy. It is difficult to see how there is any hope in such a case of the Catholic education. Aertnys-Damen would require some hope of Catholic upbringing, which is not ruled out by the fact that the non-Catholic partner wishes to have the child baptized by a minister: if both are lax Catholics and ask for the child to be baptized, there is usually a hope for the Catholic education. The author's own opinion is that it is not lawful to baptize the children under discussion as a matter of course. There must be a reasonable hope of Catholic education, and he fails to see how that hope can be realised unless the Catholic party expresses a wish for the baptism of the child. Again he disagrees with Prummer, who would seem to base this hope on what might happen after the child has attained the use of reason.

Only a bare summary of the matter dealt with has been given on this question. It covers four pages; but the summary will give some indication of the care that has been taken to consider every aspect of the case. The same remark applies to the working of the solution to each problem submitted.

The contents of the book have appeared at one time or another over the last fifteen years in the pages of the "Irish Ecclesiastical Record", in the form of answers to queries submitted by correspondents. Those who looked forward to Canon McCarthy's contributions during the months of the academic year have now a convenient collection of his work in a permanent form. To numbers of priests throughout the English-speaking world the volume provides an opportunity to benefit from the scholarship, judgment, and industry of one who for many years has occupied an important chair on the Faculty of Maynooth.

J.M.

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DEVOTION TO THE SACRED HEART, by L. Verheylezoon, S.J.,  
London. Sands and Co. 1955. XLV + 280 pp. 15/-.

This useful book is a translation of the Flemish original (1946). The author tells his readers in the preface: "This treatise... is neither a book for mere reading nor a 'devotional book.' It is a book of study." One has only to read the list of works consulted by the author to realize

the justice of his claim. The book begins with a definition of what is meant by devotion to the Sacred Heart, with an account of the origin of the devotion. The author is above all concerned with the devotion which owes its origin and propagation to the apparitions made by our Lord to St. Margaret Mary, the great apparitions from December 27th, 1673, to June 16th (?), 1675. The devotion met opposition not only from the Jansenists, but as the author remarks: "The cult was considered an unsound novelty, superstitious, sensual, or at least too material." Hence the Feast of the Sacred Heart was instituted only a century later in 1765 by Pope Clement XIII. The nineteenth century was a century in which the devotion to the Sacred Heart flourished in an extraordinary way. In 1856 Pius IX extended the feast to the universal church; the same great pope consecrated the faithful to the Sacred Heart in 1875, while a few years before in 1864 he had beatified Margaret Mary, Leo XIII ended the century by consecrating the human race to the Sacred Heart in 1899. Statues and pictures of the Sacred Heart became a constant feature of our churches done in a style so often which wins the author's rebuke. One wonders what a non-Catholic makes of the statue of the Sacred Heart. This book gives abundant information on such points as: object of the devotion, ends of the devotion, practice of the devotion and the motives which urge us to practise devotion to the Sacred Heart. The book will be of great help to those who direct sodalities of the Sacred Heart, giving them the doctrine and history of the devotion which will be of much interest to their hearers. For example what were the promises made to St. Margaret Mary, and are they authentic? The twelve promises are given on pp. 235-236, and the author notes that in 1882 a wealthy American, by the name of Kemper, had these formulas translated into over 200 languages. "They form part of the revelations with which Jesus favoured St. Margaret Mary. As these revelations, though not being *de fide*, are fully trustworthy, we may safely give credence also to the authenticity of the promises." A proof is then drawn from various papal documents. Naturally the author points out that it would be a profound mistake to make devotion to the Sacred Heart consist in some exterior exercises with the hope of sharing in the benefits. The last promise in the list, the promise made to those who receive Communion on nine consecutive first Fridays of the month has appeared strange and excessive to not a few. The author defends the authenticity of this promise and on pages 239-241 meets the objections which can be raised, a passage which preachers would do well to examine.

The book of the Flemish Jesuit will be of value to all, priests and laymen "who wish to acquire a reasoned and exhaustive knowledge of the great devotion of modern times" to quote the author. It is a matter of regret that there is no index, which lack detracts from the rapidity of consultation of a book that presents itself in the light of a book of study.

JESUS THE SAVIOUR, by Father James, O.F.M. Cap. Dublin, 1955. PP. VI + 137. Gill & Son. 12/6.

It is an advantage to one who lives in a valley sometimes to ascend high places and to view from above the world stretching out to the horizon and to see in a single glance how his own valley is placed in relation to others and to the whole setting. So in our own reading, especially spiritual and theological reading, it is well sometimes to lay aside that which is particular and presupposes the great fundamentals, and to spend a kind of literary retreat with a book which again puts before us a vision, a single glance that unifies such diverse elements and reaffirms their common foundations. Sometimes such a vision may be like a meditation from which results no practical resolution, and yet somehow we are the better for it as its influence is felt on our return to the busy narrow ways.

Jesus the Saviour is one of a few books which put before us such a vision. In a short span of 137 pages Fr. James gives us an exalted view of the whole work of Redemption and in that one view comprehends all theology, seeing each element in its right perspective and in its due relation to everything else. It is like seeing for the first time such matters as the question of suffering, the relation between God's mercy and justice, the problem of evil, especially of the primordial evil permitted by God, the justification of man in Christ, how Christ's mysteries are operative now in the Church and in the Christian soul, the relation of man, especially of the God-man, to the rest of the Universe, Christian optimism. For me it revealed for the first time the significance of the Transfiguration and of the Ascension, and their place in the drama of the Redemption. (Fr. James surprisingly asserts that the Ascension is more glorious than the Resurrection, because it is the climax of the glorification of which the Redemption is but the beginning.)

One obvious defect was the sometimes inaccurate treatment of Scripture texts. For example, where St. Mark, speaking of the Transfiguration, describes the whiteness of Christ's garments—"so as no fuller on earth can make white"—Fr. James took fuller in the sense of "plenior" rather than "fullo."

One has to pay dearly for lofty views and in this case I felt the climb to the top was particularly steep, especially since the book began with the first chapter given over to a most philosophical consideration of the *Summa Theologica*, and from then on the author disdained to give any clear indications of where we were going. And once at the top he did not seem to notice that the valley-dwelling reader breathed the rarified air only with difficulty. But the view was worth it.

Fr. James is a philosopher with high qualifications, but he is also a master of language. While one is grappling with his lofty thought one realises that the simplicity and clarity of the language mocks the despairing reader. And it is language that is almost poetry.

E.D.S.

TENDERS OF THE FLOCK, Leo J. Trese. Sheed and Ward, London, 1956. 10/6 (ster.).

The name of Father Leo Trese has become very familiar to English-speaking clerics. His two earlier works, *Vessels of Clay* and *A Man Approved*, need no introduction to clergy or religious. Readers of *Emmanuel*, official monthly of the Priests' Eucharistic League, will have already read the articles making up this book as they appeared month by month. Such, however, is their content that, now published in book form, they can be read again with great pleasure and profit.

The publishers claim that, although Father Trese is writing specifically for priest readers, laymen will read the book with profit. After reading the book one's impression is that it is essentially a priest's book. Much of its material pertains strictly to priests, and because of this *Tenders of the Flock* must be considered as beyond the reach and appreciation of the ordinary layman. It deals, for the most part, with matters that pertain to the clerical family circle and which do not pertain to the open forum.

The author examines in his own fresh and open style the ideal of the priesthood, considered under different aspects, and those obstacles and influences that abound and tend to deflect the priest from the attainment of that ideal. In each chapter the form of treatment is the same. The general ideal, whether it be with regard to Prudence, Unity, the Spirit of the World or any other kindred subject, is indicated; afterwards the practical striving for the ideal in modern, American life is considered.

It is in this latter that Father Trese's forte becomes apparent. He has a special gift for conveying his idea, not so much by what he says, but by the presentation of a picture, deftly etched and simply presented, that leaves no doubt in the mind of the reader as to the point being made. A good example of this is to be found in the chapter, *the Unsecular Priest*, where the well-groomed, distinguished-looking Father Smith does not have the same pastoral success with a careless family as Father Jones, another shepherd, who is not so much the successful professional man. For Father Trese unworldliness is an attitude, a state of mind which will inescapably reflect itself in a man's whole make-up.

Each chapter has its own particular point for the busy priest. *Tenders of the Flock* is an ideal companion for the monthly recollection or annual retreat and will also provide fruitful occasional reading during those few moments of leisure that come to the *Alert Priest*.

T.J.C.

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RAFAEL CARDINAL MERRY DEL VAL, by Marie Cecilia Buehrle. London, 1957. Sands and Co. VIII + 308 pp. 18/-.

The writer of this book tells us frankly that she has excluded footnotes and references, although the book "rests none the less firmly upon a basis of authenticated facts...in one or two instances and for special



reasons, names have been fictionized." Bearing that in mind with the declared intention of presenting the Cardinal as a self-sacrificing priest and a warm and gracious human being, the reader will find a pleasant account of the life of the Cardinal Secretary of State of St. Pius X, that famous Cardinal of Spanish and English ancestry who in the autumn of 1883 went to Ushaw. "When the students at Ushaw saw this aristocratic, rather delicate-looking newcomer, they wondered how he would adapt himself to the rigorous life of their north-country college, its strenuous games... They soon found, however, that there was a goodly quantity of steel under the courtly exterior..." But Rome was in the offing, we are told. He went to the Scots College, until Leo XIII intervened and the future Cardinal went to the Academy for Noble Ecclesiastics. He was a monsignor before he was a sub-deacon. Miss Buehrle treats of his subsequent career in an engaging style. The great event in Merry del Val's career was his nomination as Secretary of State to Pius X. Miss Buehrle, however, writes of those interesting years, (e.g., Modernism) in the same fashion. Of course, she told us her plan, and we can't complain, but she appears to know a great deal more than she puts down in this book. Perhaps it is far too early, yet we cannot help feeling a little annoyed with girlish evasions. Merry del Val died officially in 1914, and yet he lived on doing much good work among the poor in Trastevere, and here the book must be called charming. There are most interesting illustrations in the book, which probably contains many allusions that intimates of the Cardinal and people who knew the period will appreciate. A reviewer of a book should not complain of what is left out, but it is hard not to conceal a sense of disappointment. The Cardinal died in 1930, and a moving picture is painted of his noble, rather, saintly death. To sum up, a book written more to edify than to instruct.

T.V.

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A CEDAR OF LEBANON, by Paul Daher, O.L.M., S.T.L., D.Phil. Browne and Nolan Limited, Dublin. December, 1956. pp. 169. Price, 15/- net.

This book tells of Father Charbel Makhlof, a holy Maronite Monk who died on Xmas Eve, 1898, whilst celebrating Holy Mass in the Monastery of Annaya, Lebanon. Youssef (Joseph), later called Charbel Makhlof, was born in a high mountain village approximately 5,000 feet above sea level, close to the famous Cedars of Lebanon, on 8th May, 1828. There were three boys and two girls in the family. He was the youngest boy. According to the very best Maronite tradition they were a very devout family. At an early age Youssef entered the Maronite Monastery, eventually was ordained and lived at Annaya. His life was one of simplicity, humility, and prayer, conforming to the Divine Pattern. Even in his own lifetime his fame for holiness had spread abroad. At his death he was buried uncoffined in a damp vault.

A year later, after extraordinary things began to happen, his body was exhumed and found in a perfect state of preservation, perspiring and flexible. Under ecclesiastical supervision the tomb was opened again in 1927, 1950, 1952, with the same extraordinary results that baffled panels of doctors who could not give a natural explanation.

Pilgrims in their hundreds and even thousands have been making even daily visits to his tomb, inspiring a religious revival. A picture of him whilst at prayer can be seen everywhere. In homes and public buildings, in private and public transport this picture of Father Charbel is hung and venerated.

It is of this holy Monk that Father Paul Daher writes in his book, *A Cedar of Lebanon*. Apart from the fact that the land of the Scriptural Cedars has always an irresistible charm, Father Daher increases our interest by his presentation. His book gives a simple but pleasing description of this country with a very readable map. There are also 13 very good illustrations.

Father Daher sets out to tell us how Father Charbel lived. He obtained his information from contemporaries of the Monk. His own father served Mass for Father Charbel. The Foreword is written by His Eminence Cardinal Tappouni, Syrian Patriarch of Antioch. His Eminence requests the readers of this biography which is so full of edifying and extraordinary facts, to read it not only with the eyes but above all with the heart.

It is very stimulating to be able to read in English about one who comes from the lands where Christianity was cradled and blessed with innumerable saints, and whose cause for sanctity is being sponsored and investigated by the proper authorities.

A.J.S.

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THE WHEELING YEARS: The Sisters of the Good Samaritan, 1857-1957. Sydney, 1957. Illustrated.

Archbishop Polding was a very brave man, never daunted by seemingly insuperable difficulties. In 1853 Mother M. Scholastica, a Sister of Charity, was doing wonderful work in a Magdalen Asylum at Carters' Barracks, lower Pitt St., on the site of the present Central Railway Station. He decided that she, while remaining a Sister of Charity and wearing their habit, should be the foundress of the first Australian congregation of nuns. And it succeeded. Archbishop Polding had his share of small scores; it must have been wonderful for him to see the runs come, and now it is a century. In 1857 Mother M. Scholastica began the training of the first postulants for the new congregation of the Sisters of the Good Shepherd; their rule written out by the venerable hand of the Archbishop was approved in Rome, and naturally it was strongly Benedictine. In 1867 the community had increased to forty, so that the novices and postulants were transferred to Rosebank, where the valiant Good Samaritan nuns of the last century are buried, the first being Sister Mary Martha Sahares, who died in 1862. She was the

daughter of a Samoan chief, who had been persuaded by the Archbishop to educate his daughter in Sydney. The Sisters from 1867 were known by the beautiful title of Sisters of the Good Samaritan, as Archbishop Polding was made to feel in Rome that the first title adopted was already patented. Nine years later in 1876, Mother Scholastica (still dressed as a Sister of Charity) considered that the time had come for the Sisters of the Good Samaritan to have as Superior one of their own. This wonderful woman retired to a convent of the Sisters of Charity in Tasmania, but in 1885 she returned to Sydney and spent the rest of her noble life at Rosebank "still wearing the habit and following the rule of the Sisters of Charity." The Foundress died on October 15, 1901, "on the very day of the transfer of the first St. Scholastica's Convent from Pitt St. to Glebe Point"—and what the Middle Ages would have made of that fact! Glebe Point, Toxteth Park, the lovely home of the Allens, the oak trees, the cricket grounds, the nuns—*A la recherche du temps perdu*. The Good Samaritan Sisters have played a leading part in educational and social work in many parts of Australia, and beyond Australia in Japan. Their work is modestly described in this fine record of a century. The book is beautifully printed, illustrated on art paper, and elegantly bound. Glebe Point, St. Vincent's Convent and Hospital and Subiaco are all united this year in affection and achievement. How Archbishop Polding, Mother M. Scholastica and even Dr. Gregory (very surprised to be on a winner at long last) would have been delighted at the first hundred years of the Sisters of the Good Samaritan, the first congregation founded in Australia to reach the century! The Church in Australia owes much to them. (In this discreet book there is no information as to price and the way of obtaining this valuable record. The wise plan here as in so many other cases is to consult the Sisters of the Good Samaritan).

T.V.

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HYMNS OF THE ROMAN LITURGY, by Joseph Connelly.  
London, 1957. Longmans, Green and Co. XXIII + 263 pp.  
28/-. (Eng.).

The pages of the reviewer's breviary are stained with the tell-tale yellow tinge that is a sure sign of the passage of many winters, springs, summers and autumns. But most alarming is his state if he suddenly pauses and asks himself what is the exact meaning of this hymn, this psalm, who composed the hymn, is *Deum* in *Te Deum laudamus* an accusative and where does the *Te* then fit in? From his youth salutary advice was given which should have led him to the study of the psalms and to a translation of the hymns. Father Connelly of the Archdiocese of Birmingham began to study and translate the venerable hymns of the Roman Breviary for the benefit of a small group. He now in this splendid volume shares the information gathered with all of us.

In his introduction, the author gives some useful information concerning the development of hymnology in the Western Church, of the

metres of the hymns and of accent and rhyme. Then beginning with Matins he goes right through the Breviary—the days and the hours, the seasons, the Common of Saints and the Proper of Saints. Here is an example of the author at work, the well known *Decora Lux*. First he gives the Latin text of the complete hymn which, he complains, “is never used in its entirety in any one office,” as the various feasts of St. Peter and St. Paul take sections of it, and thus it makes “the Breviary sections a stumbling-block to many.” Opposite the Latin, he gives a sober, straightforward English prose version. Further we are presented with brief notes on the author’s identity (doubtful in this case, perhaps Elpis, who was, perhaps, a Sicilian poetess; it is strange, admit it, reader, that tradition assigns this martial song to a woman) and notes on the text, additions and allusions. This book is beautifully printed on fine paper with good margins—a noble volume. Archbishop Grimshaw in a laudatory preface suggests that it should be dipped into and browsed upon before a priest falls asleep at night, and commends the book to “all of us who are priests or who are preparing to be priests.” It would be a splendid gift to give at the time of ordination, and, alas, a splendid gift that owners of old yellow paged breviaries could give themselves with profit.

L.B.P.

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THE SEAL OF THE CROSS, by Malachy Carroll (The Mercier Press. 1956. 185 pp. 12/6 stg.).

Last year the Religious of the Institute of St. Joseph of the Apparition celebrated their centenary, or, to speak more accurately—the centenary of the death of their Foundress, Saint Emilie de Vialar, who was canonized in 1951. Her life makes fascinating reading, as we follow her vocation, signed most clearly with the seal of the Cross, from her childhood years when God inspired her with “the desire to endure, for His sake, the pain we sometimes suffer from those who govern us.” She was to feel the sting of that pain from teachers, from her exacting, worldly father, from priests and from bishops. The pain from ecclesiastical quarters seems to be such an indispensable ingredient in the making of a saint, that our critical judgments are stilled.

There is a grimly humorous touch after a French bishop in Algeria tries to bend Mother Emilie’s vocation to his own plans. Both appeal to Rome, the Bishop with a Royal decree which would override any papal decision. The Cardinals were dumbfounded, able only to ask the Bishop bluntly: “Then what has brought you here?” It is not often in our reading that we come across such a practical example of Gallicanism. The Bishop won, and Mother Emilie’s flourishing mission at Algiers had to fold up its tents. The sequel of the quarrel is touching and beautiful. Many years later in Paris, the chastened prelate wrote to Mother Emilie asking her forgiveness. His letter was not preserved, as the nun, after forgiving him out of her abundant charity, tore it up, saying: “It is not fitting that a Bishop should thus humiliate himself



before a mere nun." Her biographer's comment is fitting: "Into that moment when she destroyed this letter, this badge of her triumph, is crowded all the greatness of Emilie de Vialar—an aristocrat of nature and of Divine grace."...After the failure in Algiers there followed a wonderful expansion of her work in the founding of both schools and hospitals, chiefly in pagan countries, for the Foreign Missions were from beginning to end the ideal of her life.

After Mother Emilie's death her spiritual daughters feared the collapse of their Institute, but an interview with the Curé of Ars reassured the Superiors. The great saint's answer was: "My Sisters, be at peace! The Congregation of Mother de Vialar is the beloved flock of Jesus Christ and of St. Joseph, your Patron. The Congregation will not disappear. On the contrary it will spread far and wide; because you are called to do great good..." The prophecy of the saintly Curé has been amply fulfilled, and we are glad to see their successful apostolate widening with the years. Glad, too, that all Religious may become acquainted with St. Emilie's spirit that shines out in this book. Of all the lessons she teaches perhaps the one most needed by our timid, vacillating hearts is in the astringent statement that all our work should be marked with the seal of the Cross.

M.O.

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"THOUGHTS FOR DAILY LIVING," by Fulton J. Sheen. (1956: Dublin, Browne & Nolan. 207 pp. Stg. 15/-).

Here is yet another book from the prolific pen of Bishop Fulton Sheen.

This is a book which can be picked up at odd moments, and which the reader, clerical or lay, derive much profit for his advance in the way of God. By this we mean that Bishop Sheen has produced a book which is easily readable, and at the same time gives much good advice in a style that can be understood by all. Those who have read the Author's earlier works will find much that is familiar to them in the principles outlined, but which are stated more simply and with examples taken from everyday experience.

The book is divided into eleven sections, each of which is self-contained yet flows naturally from the previous one. The beauty of this is that any part of the book can be read and understood. Inside these section-headings are contained a number of chapters, each of which is approximately two and a half pages long. So much for the format of the book. What are its contents?

The title of the book is quite accurate here—they are "thoughts for daily living." Bishop Sheen treats of various subjects in the action headings—for example: Happiness, Love, Will, Character, Humility, Hope, and so on. Inside these headings there are the chapters on each of the above. To quote the index: "Love... Ch. 6 "Me," "I," "Thou." Ch. 7 Failure and Success; Ch. 8 There's Good in the Bad.... In this particular section readers of the Author's previous works will find the

ideas of "Lift up your Heart," but presented in a much simpler and "easier-to-read" style, and this statement is the key to the book.

Having thus arrived at the conclusion, I hesitate to say, "Yes, it is a good book, well worth your 15/- investment." Rather I shall attempt to dodge the issue by saying "I am glad that I have read this book, and I think that I will read it again, for I think that it has something that all of us could constantly remind ourselves of—the daily living for God."

D.O'N.

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ST. JOHN FISHER, by E. E. Reynolds. London. Burns Oates, 1955. XIV + 310 pp. 40/6.

The previous book by E. E. Reynolds, *Saint Thomas More* (Burns Oates), won esteem by its quiet dignity and competent mastery of the subject. The present book has similar qualities. Bishop Fisher has had few biographies, because, seemingly his career has been so fully covered in the general histories of the Reformation. The first full-scaled life was Bridgett's *Blessed John Fisher* (1888), which has remained a classic. Father Bridgett, C.S.S.R., wrote at a time when Mr. Reynolds recalls Froude was bold enough to write of John Fisher as a 'miserable old man' with 'a babbling tongue.' Since Bridgett's day it has not been so easy to dismiss Fisher's life and death in so airy a fashion.

John Fisher was a Yorkshireman born at Beverley in 1469. Educated at Cambridge, he became a Fellow of Michaelhouse and was ordained priest on the title of his fellowship in 1491. It was the golden age of Renaissance, when bishops were scholars and scholars bishops. Lady Margaret Beaufort, Henry VII's mother, became his patroness, and through his efforts her bounty established the Lady Margaret Readerships which still commemorate her name. John Fisher early became noted as a preacher, in an age which sadly lacked preachers to explain the Gospel. In those happy years before the storm broke, Fisher was instrumental in the foundation of St. John's College, in Cambridge. Mr. Reynolds discusses in an interesting chapter the curious (to our eyes) friendship of Erasmus and the future saint, who followed the career of Erasmus, his friend, with affection, while Erasmus showed in his letters "that he stood in some awe of the bishop." Fisher on becoming Bishop of Rochester proved to be an admirable bishop, which in that age was unhappily too rare, as the attraction of high affairs of state was a constant temptation to desert the humdrum daily round. In 1512 John Colet, the Dean of St. Paul, preached a sermon denouncing "the secular and worldly living in clerks and priests"—pride of life, carnal concupiscence, covetousness, secular occupations. It ushered in the fierce criticism of the English Church by the followers of Wyclif. Then the 'black cloud of heresy' raised by one Martin Luther, a friar. Mr. Reynolds deals with Fisher's controversial work in an admirable manner. The affair of the divorce found Fisher in valiant defence of Catherine of Aragon. With moving dignity, and exact information, Mr. Reynolds tells the story of Fisher's heroic, sad but glorious death.



The book is enriched with splendid illustrations, many by Holbein. It was fortunate that Holbein lived when he did and could paint those extraordinary portraits of Erasmus, in thin-lipped elegance, Warham with his sad old ugly face and all the others—photographic art, no doubt, but strangely one never grows tired of examining them. There is a special chronological index for Saint John Fisher and a general index. In the author's preface a tribute is paid to the work of Rev. J. F. McMahon, M.S.C., of Australia, for his research work on John Fisher's writings, published in 1955 by the Oxford Bibliographical Society.

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T.V.

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